



# **NAPA COUNTY CIVIL GRAND JURY 2023-2024**

A Tradition of Stewardship  
A Commitment to Service



## **CONSOLIDATED FINAL REPORT**



Consolidated Final Report  
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Third Row: Cheri Stanley, Cheryl Christoffers, Deborah McGrath, Jeffrey Johnson  
Second Row: Vic Connell, Philip Pyrce, Hon. Scott R.L. Young, Lee Philipson, Patrick Muleady  
Front Row: Robert Haines, Judith Speed, Sheryl Bartholomay, Tammy Smith, Linda Morin,  
Linda Pidgeon

## 2023-2024 Napa County Civil Grand Jury Membership Roster

Sheryl Bartholomay	Napa
Cheryl Christoffers	Napa
Vic Connell (Pro Tem)	Napa
James Ehrman	Napa
Robert Haines (Sec)	Napa
Conrad Hewitt	Napa
Jeffrey Johnson	Yountville
Deborah McGrath	Napa
Linda Morin	Napa
Patrick Muleady	Napa
James Peifer	Napa
Lee Philipson	St. Helena
Linda Pidgeon	Napa
Philip Pyrce	Napa
Judith Speed	Napa
Tammy Smith (Foreperson)	Napa
Cheri Stanley	Napa
Dan Woodard	Napa



County of Napa Civil Grand Jury  
1754 Second Street, Suite D  
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Serving Napa County & Its Citizens Since Statehood

June 30, 2024

To the Citizens of Napa County, The Hon. Cynthia P. Smith, Presiding Judge, and The Hon. Scott R. L. Young, Judicial Liaison:

From the beginning of its statehood, the Constitution of the State of California has required each county to annually form a body composed of citizens to investigate or inquire into county matters of civil concern, including the performance of the duties of the agencies subject to investigation.

The primary function of the Civil Grand Jury is to act as a watchdog of local government; to ensure that the county is being governed honestly and efficiently and that county monies are being handled judiciously. Each civil grand jury is charged and sworn to investigate or inquire into matters of civil concern within its county.

This watchdog function does not end with investigating and reporting. The Grand Jury must also state what it has found and make realistic recommendations about how to improve the way things are done.

The final consolidated report that follows is the product of the 2023-2024 Napa County Grand Jury's investigation and analysis of the performance of the duties of agencies that are part of the government of Napa County.

The Jury considered numerous topics of concern to the citizenry including reviewing a number of complaints submitted by individual citizens. The Jury conducted over 100 interviews and reviewed thousands of pages of documents in the course of its term. Among all these possibilities, the Jury chose, by supermajority vote, to investigate the topics that you see in this report.

During the course of its term, the individuals who served on this Jury came together to work in a very professional way to produce the reports. As the foreperson, I could not have asked for a more collegial and collaborative team.

The Jury hopes that these reports will raise citizen awareness of these particular matters of civil concern and stimulate positive change within the agencies mentioned in the reports.

On behalf of this Jury, it has been a great honor to serve at the pleasure of the Superior Court of Napa County Court on behalf of the citizens of Napa County.

Respectfully submitted,

Tammy M. Smith, Foreperson

2023-2024 Grand Jury

## Acknowledgements

The 2023-2024 Napa County Civil Grand Jury gratefully acknowledges the following individuals for their assistance to and support of the Grand Jury as it did its work to produce the reports that follow.

- Hon. Scott R. L. Young, Judicial Liaison, Napa County Superior Court
- Silva Darbinian, Chief Deputy County Counsel, Napa County
- Bob Fleshman, Chief Executive Officer, Napa County Superior Court
- Heidi Van de Ryt, Court Executive Assistant, Napa County Superior Court
- Allison Haley, Napa County District Attorney
- Oscar Ortiz, Napa County Sheriff
- Tracy Schulze, Napa County Auditor-Controller
- Jennifer Gonzales, Chief, Napa Police Department
- Daniel Sanchez, Senior Management Analyst, Napa County
- Jon Gjestvang, Chief Information Officer, Napa County
- Alice Danner, Staff Services Analyst, Napa County
- The Peter and Vernice Gasser Foundation, Nancy Watt, Chief Executive Officer
- Mitch Wippen, Chief Operations Officer, The Gasser Foundation
- Napa Chapter, California Civil Grand Jury Association
- Dan Evans, Editor, Napa Valley Register
- Laura Gregory, photographer, Grand Jury group photo
- Maggy Walton and Napa Printing



## In Recognition

The 2023-2024 Napa County Civil Grand Jury wishes to acknowledge the generosity of The Peter and Vernice Gasser Foundation for the use of their executive Board Room for all weekly Grand Jury panel meetings. The Napa County Civil Grand Jury has used the executive Board Room at the Gasser Foundation building on Soscol Avenue for many years without any cost to the County. The Gasser's unconditional generosity speaks highly of their commitment to community service.



Photo courtesy of 2022-2023 Grand Jury Member Joe George





A Tradition of Stewardship  
A Commitment to Service

**NAPA COUNTY GRAND JURY  
2023-2024**

**April 24, 2024**

**FINAL REPORT**

**Raising Awareness of Elder Abuse  
in Napa County**

## SUMMARY

If you live in Napa and you are not an elder, you probably know someone who is. The number of older Napers continues to grow. By 2030, one in three residents of Napa County will be over 60 years of age. As the number of elders increases, so does the need for additional elder care services and the potential for more elder abuse. Napa County needs an increased awareness and additional resources to reduce the incidence of elder abuse.

Elder Abuse is defined as an intentional or negligent act by any person that causes harm or a serious risk of harm to an adult over the age of 60 years. The prevailing perception is that elder abuse is physical, but self-neglect is a common and often unrecognized form of abuse, as are financial scams that prey on the vulnerability of elders. The reporting of elder abuse is a civic duty. For some in the community—professionals in financial institutions, health practitioners, and clergy, among others—the reporting is mandated by law.

In Napa County, Health and Human Services Comprehensive Services for Older Adults (HHSA CSOA) is responsible for providing services and mitigating elder abuse for elderly Napers not living in inpatient (generally nursing homes) facilities. Additionally, there are several nonprofit organizations in Napa County that work in concert with HHSA and focus on providing needed services to the elderly. Many like-minded Napers work and volunteer to bring these services to the elderly.

The elderly who are no longer able to safely care for themselves are often cared for in inpatient care facilities. Inspections and licensing of inpatient facilities fall under the jurisdiction of the State. Locally, the Ombudsman's office, staffed primarily by volunteers, oversees, and advocates for the inpatient residents.

The Jury heard many concerns about the quality of care in privately operated inpatient facilities. However, the County has limited power to intervene. The Jury believes there may be opportunity for greater involvement and potentially a protective presence by the local nonprofits in inpatient facilities.

Most professionals involved in elder abuse believe that all manners of elder abuse are under-reported. More public awareness and community involvement are needed to protect our elders.

The Jury reviewed local Community Partner nonprofit organizations providing vital services to the disabled, elderly and those in need. The Jury found their contributions to be extremely valuable to the community.

The Jury found that while numerous services are available to the elders, their broad scope and complexity make it difficult for individuals to find the resources they need. As a result, the Jury

provided seven key recommendations, including the directive to develop a “Healthy Aging Guide” for the elderly, their families and caregivers.

## **GLOSSARY**

(HHSA) Napa County Health and Human Services Agency

(APS) Adult Protective Services

(CSOA) Comprehensive Services for Older Adults

(N/SAAA) Napa/Solano Area Agency on Aging

(NOAA) Napa County Older Adults Assessment

(LTCOP) Napa County Long Term Care Ombudsman Program

(IHSS) Napa County In-Home Support Services

(LTSS) Long-Term Services and Supports, a Subcommittee of California’s Master Plan for Aging

## **BACKGROUND**

According to the 2022 US Census, just over one in four (28%) of Napa County residents are 60 plus years old. By 2030, one in three (33%) residents of Napa County will be over 60 years of age.

California has made elder abuse a priority. In 2019, Governor Gavin Newsom signed Executive Order N-14-19 calling for the development of the California Master Plan for Aging. After an extensive effort, this plan was launched in 2020. The plan calls for “Five Audacious Goals.” One of these goals is “Inclusion & Equity, Not Isolation.” There are six strategies for achieving this goal including “Protection from Abuse, Neglect & Exploitation.”

Data from the California Department of Social Services, Napa County Health and Human Services Administration (HHSA) indicates approximately 160 cases per month. Some of these are carried forward from previous months, some are new cases, and some are closed. Napa County HHSA 2022 Annual Report shows 1079 cases of elder and dependent care abuse cases were reported and 971 cases were confirmed. This data excludes abuse in inpatient care facilities (generally nursing homes) where Napa County has no regulatory oversight. These cases are reported to the Ombudsman’s office and investigated at the state level.

Inpatient care facilities are regulated by the state. The Jury has limited jurisdiction to investigate the state’s regulation of inpatient care facilities. The Jury learned of many instances of less-than-optimal care in these facilities and a system of state oversight that is not working. People with a loved one in an inpatient facility believed the only way they could ensure quality care was a frequent physical presence. The Jury believes there is an opportunity for one of the nonprofits serving Napa County to have volunteers visit and build connections with individuals in inpatient care facilities. The visits could be particularly helpful to individuals who don’t have

enough presence of family and friends to monitor their care. The Jury proposes a nonprofit serving Napa County establish an alliance with inpatient care facilities to develop a voluntary “Open Door Program” that allows visitations. Participation in the program might offer patients and loved ones assurance of the quality of the care being provided.

The Jury experienced a high level of frustration resulting from its lack of jurisdiction over inpatient care facilities. A preliminary inquiry indicated significant quality-of-care shortfalls.

Based on jury interviews, the inpatient quality of care issue is not just a County of Napa problem but a systemic problem at the state level. The state oversight of these facilities is not working. While the Jury has no authority, the Jury requests that the Little Hoover Commission investigate state oversight of inpatient care facilities with the objective of improving the quality of care in these facilities. If the Little Hoover Commission is unwilling to take on this issue, the Jury requests that Mark Ghaly, California Health and Human Services Secretary, in his role as the Leader of California’s Master Plan on Aging, form a working group to investigate this issue and develop a comprehensive plan to improve the statewide quality of inpatient care.

Please see the appendix for a list of organizations in Napa County offering services to the elderly.

Elder abuse is believed to be significantly under reported. Often victims of elder abuse are reluctant to report abuse because they are embarrassed or fear that they will lose their independence. Some may be too isolated to report abuse or may be too reliant on their abuser to risk intervention. Estimates run as high as one in ten elderly or dependent care adults will be abused in any given year.

The 2022-24 Napa County Older Adult Assessment (NOAA), a comprehensive large sample survey, indicated 12% of older adults reported they were a victim of a fraud or scam and 8% reported they were a victim of emotional abuse or a crime.

Dependent adults fall under the same regulations and protections as elders. A dependent adult is someone 18 years or older with certain mental or physical disabilities that keep them from being able to perform typical activities or protect themselves. In this report, the term elder adult includes dependent adults.

The Jury conducted this investigation to raise awareness and identify opportunities for mitigating the incidence of Elder Abuse.

## **METHODOLOGY**

This Report is based on interviews and an extensive review of state and local documents.

Interviews conducted include:

- Napa County Health and Human Services (4 interviews)
- Napa Ombudsman’s Office (2 interviews)
- Napa County Nonprofits (4 interviews)
- Law Enforcement and District Attorney’s Office (3 interviews)
- Medical Personnel associated with inpatient care (1 interview)

Documents reviewed include:

- Napa County Older Adult Assessment - A Comprehensive large sample survey conducted at the request of the Napa County Board of Supervisors the Napa County Commission on Aging, Napa County Health and Human Services Agency, Napa/Solano Area Agency on Aging and the Napa County Health Aging Population Initiative (HAPI). <https://communityhealthnapavalley.org/wp-content/uploads/2023/12/NOAA-FINAL-Report-for-Public-Distrib-1.23.24.pdf>
- Napa County Health and Human Services Agency (HHS) 2022 and 2023 Annual Report as well as the Comprehensive Services for Older Adults 2021 - 2023 Strategic Plan.
- Napa County Aging and Disability Resource Guide
- California Penal Code: Elder, Disabled Adults - PEN § 368
- California Department of Social Services “SOC 242 - Adult Protective Services and County Block Grant Monthly Statistical Report” <https://www.cdss.ca.gov/inforesources/research-and-data/disability-adult-programs-data-tables/soc-242>
- California Department of Justice Division of Medi-Cal Fraud and Elder Abuse training materials “Your Legal Duty...Reporting Elder and Dependent Adult Abuse”
- California Master Plan on Aging <https://mpa.aging.ca.gov/>
- University of Southern California Center for Elder Justice <https://eldermistreatment.usc.edu/national-center-on-elder-abuse/>
- US Census Bureau

## **DISCUSSION**

The Jury explored the work and services of the local nonprofit organizations, as well as the contributions of individuals in the Ombudsman’s office. We wish to commend their valuable contribution to the community and acknowledge the dedication of those who work diligently and volunteer so generously.

### **Definition of Elder Abuse**

Elder abuse is defined as physical abuse, neglect, emotional/mental abuse, and financial abuse.



Physical abuse is physical force that results in injury or death, commonly recognized as: hitting, kicking, pinching, grabbing, burning, misuse of medicines (over or under-utilization), punching, choking, slapping, twisting, force-feeding, misuse of chemicals or physical restraints.

Elder neglect is the failure of a caregiver or responsible other to provide basic necessities, including nutrition, shelter, hygiene, clothing, necessary medical care and safety. If the elderly is neglected and there is no formal or presumed caregiver, then it is self-neglect.

Self-neglect is when an elderly person is unable to safely care for themselves at home and no caregiver has been identified.

Emotional abuse is intentionally causing mental anguish by threatening, terrorizing, humiliating, isolating, or demeaning a person.

Financial abuse is using an older adult's money or assets contrary to their wishes, needs, or best interests, or for the abuser's personal gain. Financial abuse includes undue influence when a person of trust manipulates and takes advantage of a vulnerable elder to gain control of money, property, or life either directly or through power of attorney, trust, marriage, adoption, or inheritance.

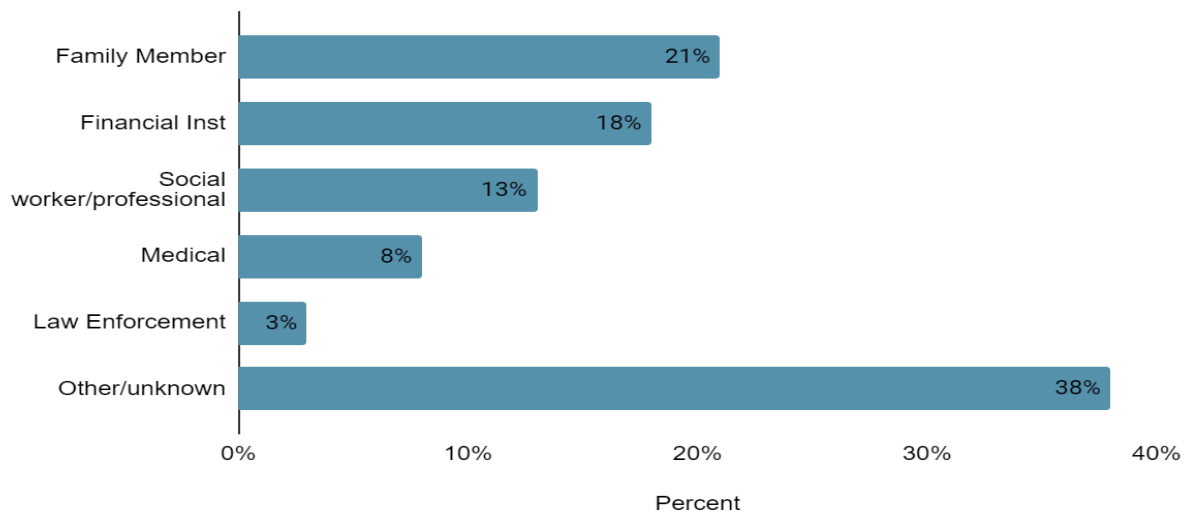
Elder abuse is defined in California Penal Code § 368.

## **The Reporting of Elder Abuse**

### **Who Reports Elder Abuse?**

In the NOAA survey respondents who said they experienced abuse or a crime reported that they told family members (69%), law enforcement (36%), a counselor, doctor or spiritual advisor (12%). Only 4% of respondents reported directly using Napa County APS.

Elder abuse is typically reported to APS by a family member or a "Mandatory Reporter."



Source: California Department of Social Services. The other/unknown percentage is most likely a combination of after-hours reporting, anonymous reporting, or cross reporting.

### Who is a Mandatory Reporter?

California Welfare and Institutions Code § 15630 defines a mandatory reporter as a person who has assumed full or intermittent responsibility for the care or custody of an elder or dependent adult, a health practitioner, clergy member, employee of a county adult protective services agency, or a local law enforcement agency. A person in their professional capacity or within the scope of their employment, including those in a financial institution, who have observed or have knowledge of an incident that reasonably appears to be abuse are also mandatory reporters. Failure to report an abuse is a misdemeanor.

Mandatory reporters who are close to the front line of abuse (social workers, ER doctors, etc.) know how to recognize abuse when they see it and know how to report abuse. Those a bit further from the front line may be unable to recognize abuse and unsure how to report it. The Jury found no person or entity accountable for informing these mandatory reporters of their responsibility to report abuse or how to report if they suspect it. Recent lawsuits filed in Los Angeles and San Mateo Counties accused major banking institutions of failure to protect elders in losses of more than \$2.2 million.

Elder Abuse is reported to Napa County Health and Human Services or law enforcement. If, after a preliminary investigation HHSA believes a crime has been committed, they will cross report to law enforcement. Generally, law enforcement will cross report to HHSA.

## **How is Elder Abuse Reported?**

In Napa County, elder abuse is reported to Napa County Health and Human Services, Adult Protective Services (HHSA APS). Reports are made over the phone on a 24-hour hotline (707-253-4398 or 888-619-6913) or on-line. Elder abuse may also be reported to law enforcement. Law enforcement will generally cross report to HHSA APS if the abuse takes place in a non-inpatient facility. If the abuse takes place in an inpatient facility, law enforcement would generally cross report to the Ombudsman. If abuse appears to be of a criminal nature, APS or the Ombudsman would cross report to law enforcement.

When elder abuse is reported, the priority is to ensure the safety of the individual. The nature, the severity and the risk to the individual's safety dictate the speed of response.

When APS starts an abuse investigation, they first attempt to verify the abuse. If the abuse is verified, a social worker would marshal the appropriate resources to mitigate the abuse and arrange for the appropriate resources to yield a safe environment. Most (68%) elder abuse cases reported to HHSA APS are classified as self-neglect. This means the individual does not have the resources to ensure their own safety and no caregiver has been identified.

A Public Guardian/Conservator may be appointed if an individual is unable to provide their own basic food, clothing, and shelter needs. Additionally, if an individual is unable to manage their personal financial affairs or is susceptible to fraud or undue influence, a Public Guardian/Conservator may be appointed when there is no other trusted person available to act as conservator.

A request for a conservatorship can be initiated by Adult Protective Services or by a third party. Third parties include friends, family members, physicians, bankers, and law enforcement. An independent investigation is conducted to determine if conservatorship is necessary or if there are appropriate alternative services available.

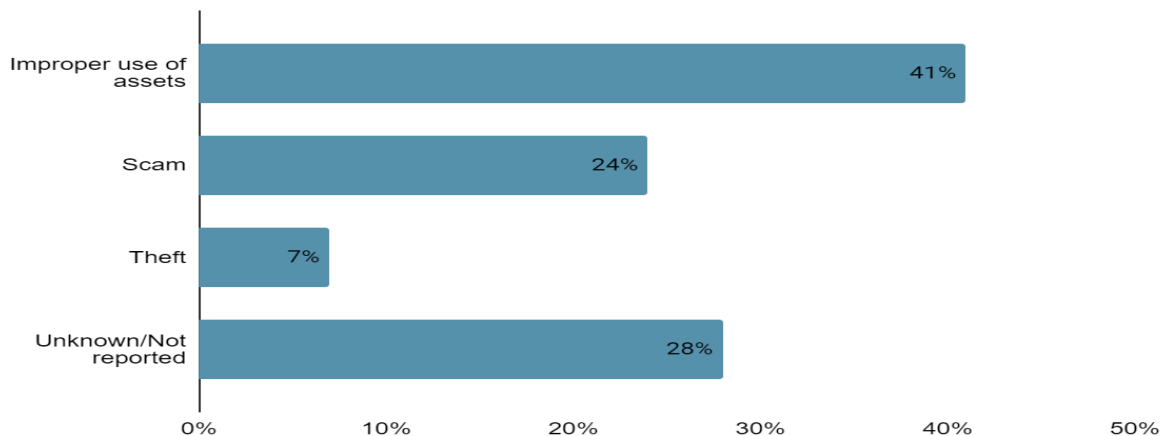
## **Criminal and Financial Scams**

A relatively small percentage of elder abuse cases are severe enough to be considered criminal. Many of these are financial elder abuse. For a criminal case to be successfully prosecuted, law enforcement must have sufficient evidence that a crime has been committed and the perpetrator can be brought to justice. In many financial scams, the perpetrator can be difficult to track down, especially if the scam has taken place electronically and the perpetrator is not located in the United States.

Financial fraud and scams are a major elder abuse issue for Napa County. As noted earlier 12% of older Napa County citizens report being the victim of a fraud or scam. Financial elder abuse

reported to Napa APS indicates that improper use of assets is the most common form of financial abuse and scams are the second most common.

### Financial Abuse Classification in Napa County



Source: California Department of Social Services. The other/unknown percentage is most likely a combination of after-hours reporting, anonymous reporting, or cross reporting.

Financial scams can be particularly damaging because recovery is usually minimal. If a scam is conducted by electronic means, tracking down the perpetrator and recovering funds are unlikely. As criminals become more sophisticated, potential victims have an increasingly difficult time recognizing and avoiding a scam. There is a strong belief among those interviewed by the Jury that financial scams in Napa County, with the advent of artificial intelligence, are becoming much more prevalent and sophisticated. The only sure way to mitigate financial scams is to prevent them from happening. Educating people on how to recognize and not fall victim to a scam is a strong community need.

## The Role of Caregivers

Most elderly have a strong desire to remain in their home and live independently. At some point, most elderly will require some level of in-home care to maintain an independent lifestyle. The majority of elder abuse cases reported to APS are a result of insufficient care. Cases reported as self-neglect are, by definition, a result of insufficient care.

Napa is one of two California counties with a registered caregiver program for independent caregivers. To register, a caregiver must provide results of a current TB test and pass a criminal background check. The Napa County database lists fewer than 35 registered caregivers. Caregivers who work through an agency are not included in the caregiver registration program. The Alzheimer Association estimates 11.5% of individuals (3,330 people) in Napa County over the age of 65 have Alzheimer disease. Each of these individuals require some form of caregiving. The registered caregiver program appears to be underutilized.

In Home Support Services are available through MediCal if specific financial and medical conditions are met. The In Home Support Services (IHSS) program is administered by Napa County HHSO CSOA. In 2023 Napa IHSS had a 20.5% increase in new referrals and helped 1,571 older and disabled adults safely stay in their own home. In total IHSS provided nearly two million hours of in-home care. However, many people don't meet the MediCal insurance requirements. The Bureau of Labor Statistics estimates that 14% of the US population over age 15 are an unpaid family or friend caregiver to the elderly. This would translate to approximately 15,000 people in Napa County.

## **Constellation of services for the elderly**

Most people are ill prepared for the demands of aging or the role of caregiver. They lack clarity on what to expect, how to evaluate their situation, and how to assess their needs. They may face challenges managing the basics such as food, safe shelter, transportation, multiple prescriptions, medical equipment, and basic hygiene needs. As capabilities change due to declining physical and mental health, the emotional toll can also be high. Individuals can have difficulty navigating the resources and programs available and in determining what resources and services they can trust. Frequently, there is a lack of understanding of how to make the right choices for their care.

### **Elder Resources**

There is a large constellation of resources and services available to older adults. Current resource guides are long and complicated and often require computer competency to navigate. The Napa County resource guide on the Napa County HHSO Comprehensive Services for Older Adults (CSOA) website is 50 pages long with 27 subcategories and nearly 250 hyperlinks. An assigned social worker will work with an individual and their family to identify resources from various agencies, businesses and nonprofits to help meet their needs. Even with a social worker's help, navigating this constellation of service can be daunting. An elderly person or care giver may lack the technical expertise to locate the right care solutions and make good care decisions on their own. Additionally, administrative requirements may significantly increase the burden in accessing many of these resources. Providence Home Health Napa, a nonprofit organization, recognized this need and established an "Information and Assistance" line to help the elderly maintain independence and their quality of life.

The complexity and subsequent navigational difficulty of long-term support services is recognized as a problem at the state level. The Long-Term Services and Supports (LTSS) Subcommittee of California's Master Plan for Aging's first objective is "A system that all Californians Can Navigate. Specifically, California will have in place an understandable, easy-to-navigate LTSS system that includes both home and community based residential options. Californians will know how to quickly connect to services they need, no matter where they live or their economic status. People will find what they need wherever they enter - whether through the healthcare system, the public benefits system, the disabilities system including Regional



Centers, or the community-based system”. Progress toward accomplishing this objective is not clear. The Master Plan for Aging January 2024 annual report references the most recent Long-Term Services and Supports Subcommittee stakeholders report from May 2020.

Simplifying and streamlining resource navigation remains a critical objective for the state. But a streamlined resource navigation system must tie to the local level where services are ultimately delivered. The county will need to make whatever the state delivers work locally. Engaging in the state's efforts sooner rather than later might help shape the outcome so that it increases the likelihood of success at the county level.

APS cannot force an individual to accept a service, an individual must consent. It is widely believed that elders are reluctant to report abuse or accept services for fear they will be removed from their home and placed in an inpatient facility. This is not true. APS cannot force an elder to accept a service or remove an elder from their home.

Providence Home Health Napa offers an “Information and Assistance” program that provides a gateway to services that assist the elderly in maintaining their long-term independence. Increasing the awareness and utilization of this program would undoubtedly result in better care. However, better integration of resources to the needs of individuals would also lead to improved care.

## **Strategies For Mitigating Elder Abuse**

Based on interviews and research, five strategies for reducing the incidence of elder abuse emerge.

1. Breaking down access barriers to support and services to elders so they can maintain safe independent living arrangements before abuse can happen.
2. Promoting community engagement and inclusion to discourage isolation, so needs can be identified before the failure to meet these needs results in abuse.
3. Providing caregiver support and relief programs to encourage healthy relationships between caregivers and the elderly.
4. Educating the public on how to recognize and avoid financial scams.
5. Increasing community awareness and understanding of elder abuse through storytelling and reporting with the intent to encourage vigilance, reduce fear and stigma, and increase the utilization of services.

Napa County and Napa County nonprofits currently employ these strategies. Opportunities exist to increase the utilization of these strategies.

### **Strategy #1: Breaking Down Access Barriers to Getting Support**

Barriers to getting support include:

- Lack of knowledge and ability to assess changing needs as a result of aging.

- Lack of awareness of the resources available and how to find them.
- Financial barriers limit access to resources.
- Physical barriers, most notably transportation to and from a resource.
- Technological barriers limit the ability to use and navigate the internet.
- Emotional barriers including the fear that accepting resources may lead to a loss of independent living and the feeling of not being deserving of services.

A large part of breaking down barriers is reaching and connecting with the elderly. The communication vehicle as well as the style and tone should be adapted to the elderly audience. For example, more traditional communication such as direct mail may be more effective than email blasts, social media, or websites.

### **Financial Barriers**

HHSA CSOD and Veterans Affairs have an excellent record in helping secure resources for those in need. Furthermore, several nonprofits in Napa County have an excellent history of delivering financial support as well as nutritional support. Often, a relatively small amount of money can make a big difference in someone's life. A minimal amount of assistance to help in an unexpected setback can stave off financial calamity and subsequent homelessness. There are likely opportunities to help the elderly find their way to services designed to break down financial barriers.

### **Physical Barriers**

There are some excellent transportation resources available in Napa County. Molly's Angels in particular should be lauded for the work they do in addressing transportation issues. There needs to be greater understanding of physical barriers from the perspective of the senior citizen. For example, Vine Transportation may be able to transport a senior to the St. Helena Hospital bus stop. But the distance from the bus stop to the hospital may be insurmountable. Similarly, while transportation from one's home might be available, for some the distance from their front door to the end of their driveway to get on the bus may be too much. Gaps in service also exist such as a lack of a soft handoff when an individual connects from one service to the next, or the needed assistance at a final destination. Soft handoff practices need to be supported and encouraged.

A related physical barrier may lie in the delivery of food that may be difficult to open or requires preparation, including opening a can. Looking at issues from an individual's capability to receive and utilize the service and finding workarounds is critical.

### **Technological Barriers**

Challenges to obtaining services online include lack of broadband access, the necessary device to navigate the internet, and knowledge of how to use the internet. Font size and poor vision can also be a barrier. Much effort is going into solving these issues by getting appropriate technology

into the hands of elders. These efforts should continue to be supported. However, more human interactions may be necessary depending upon the individual.

### **Emotional Barriers**

The Jury identified three significant emotional barriers to receiving services: fear of loss of independence, feeling unworthy of support, and a sense of exclusion. These barriers may be present in the mind of the individual needing support. The key to effecting change is building a better sense of trust and inclusion through outreach programs. For example, over two-thirds of seniors have not used a Senior Center in the last five years. This would suggest an opportunity for outreach programs.

### **Strategy #2: Increasing Community Engagement and Inclusion**

A primary cause of abuse is isolation. The NOAA survey reports that just over half (54%) of seniors said they felt excellent or good about the community making older adults feel welcome and almost four out of ten (39%) said they felt excellent or good about the community valuing older adults. These results suggest an opportunity for improvement. There are a number of excellent outreach programs supported by nonprofits in Napa designed to increase engagement and decrease isolation. These programs need to be promoted and supported thereby helping Napa citizens understand their responsibility to look out for one another and keep each other safe. Communication would also increase engagement and reduce isolation.

### **Strategy #3: Caregiver Support Programs**

Caregivers often suffer from exhaustion, loneliness, isolation, and depression, especially when caring for a loved one with a long-term or chronic illness such as Alzheimer's disease. This can lead to negligent care and even abuse. Support systems for caregivers are crucial. Providence Home Health Napa Valley offers support services for caregivers. The extent to which caregivers who take advantage of these services is unclear. Widespread promotion that encourages participation in these services would lead to improved elder care.

### **Strategy #4: Educating the Public on How to Recognize and Avoid Financial Scams**

Financial scams are a problem nationwide and the elderly are particularly vulnerable. Making sure banks and other financial institutions are trained to spot unusual activity and understand their responsibilities as mandatory reporters is an important way to mitigate financial scams. Teaching the elderly to be suspicious of attempts at drawing them into financial scams and providing a supportive way to vet any concerns would reduce the incidence of financial elder abuse.

## **Strategy #5: Increase Awareness and Understanding of Elder Abuse**

Raising awareness of elder abuse awareness would result in greater recognition and reporting of abuse among the public and mandatory reporters. Greater awareness would diminish fear and embarrassment while encouraging the use of support services.

## **FINDINGS**

- F1. The Jury found that Napa County has many dedicated people in county agencies and nonprofits who are working hard to help the elderly age gracefully.
- F2. The Jury found that no one appears to be accountable for ensuring that all mandatory reporters know their responsibilities. Many do not have sufficient training to identify elder abuse. Many may not know the correct procedure for reporting elder abuse, exposing them to liability for failing to report.
- F3. The Jury found that the constellation of services available to the elderly is broad and complex making it a challenge for some people to find the resources they need.
- F4. The Jury found that information sources and service delivery are often online. Ongoing efforts to get technology into the hands of the elderly is hampered by their lack of computer literacy resulting in a continuing need for in-person information and services.
- F5. The Jury found that services such as Providence Home Health Napa “Caregiver Resources” and “Information and Assistance” exist to meet the needs of the elderly and their caregivers. These services appear to be underutilized.
- F6. The Jury found that more outreach is needed to make the community aware of elder abuse and available services.
- F7. The Jury found that an affluent population makes Napa County particularly vulnerable to elder financial scams. Experts predict that emerging artificial intelligence technologies will make financial scams a bigger problem. The best deterrent to this type of fraud is for potential victims to have the capability and strategies to identify them beforehand.
- F8. The Jury found that the elderly population in Napa County is increasing. As the elderly population increases, the demand for resources needed to keep them safe will also increase. Additional social workers and mental health therapists will be needed in the county.
- F9. The Jury found that law enforcement training on how to identify and report elder abuse is limited.

## COMMENDATIONS

The Jury explored the humanitarian work of local Community Partner nonprofit organizations providing vital services to the disabled, elderly and those in need. The Jury recognizes their invaluable contribution to the community and commend the dedication of all those who work diligently and volunteer so generously.

## RECOMMENDATIONS

The Jury recommends:

- R1. By September 30, 2024, HHSA develop and annually distribute a simple, brief card or letter to all mandatory reporters in Napa County. This form would inform them of their reporting responsibilities, and how to report and link to online resources for additional information.
- R2. By December 31, 2024, HHSA develop a “Healthy Aging Guide” for Napa County to aid the elderly, families, and caregivers in understanding how to better assess their needs and locate the available resources. Such a guide needs to go far beyond the simple list approach of the current *Napa County Aging and Disability Resource Guide*. HHSA should utilize county partners such as the Library and County Communications staff as well as other avenues to distribute this to the people who need the information.
- R3. By December 31, 2024, HHSA work in conjunction with the Commission on Aging, the Elder Abuse Task Force, and Healthy Aging Population Initiative (HAPI) to develop and implement a comprehensive communication plan aimed at both the elderly and the wider community. The objectives of this plan are to break down barriers for elder support, increase community engagement and inclusion, educate the community on recognizing and avoiding financial scams, and increase the awareness and understanding of elder abuse.
- R4. HHSA continues ongoing work with the District Attorney’s Office and nonprofit organizations to develop and enhance scam awareness and promote prevention campaigns. The objectives of these campaigns are to assist the elderly to recognize and avoid potential scams and know how to respond if faced with one.
- R5. Beginning July 1, 2024, Napa County HHSA proactively increase their involvement in the California Master Plan for Aging to help shape future programs and be more aware of resources and grant availability.
- R6. Beginning July 1, 2024, law enforcement establish periodic training that reinforces how to recognize and report elder abuse.



R7. By September 30, 2024, HHSA develop plans for hiring additional social workers and mental health professionals to meet the growing demand of the increasing elderly population.

## **REQUEST FOR RESPONSES**

- Board of Supervisors: R1, R2, R3, R5, R6, and R7.
- Napa County Sheriff: R7.

## **INVITED RESPONSES**

- Napa County Health and Human Services: R1, R2, R3, R4, R5, R6, and R7.
- City of Napa Chief of Police: R6.

Reports issued by the Grand Jury do not identify individuals interviewed. Penal Code section 929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Grand Jury.
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## **APPENDIX**

### **Napa County Agencies providing services to the Elderly**

- Napa County Health and Human Services Agency (HHSA)
- Comprehensive Services for Older Adults (CSOA) (a division of HHSA)
- Adult Protective Services (APS) investigates reports of abuse, provides support services, collaborates with Community Partners
- Napa County Public Guardian/Conservator/Administrator- provides mandated conservatorship services
- Veterans Services - local veterans advocate, assists in obtaining Federal benefits
- In Home Supportive Services (IHSS) Assists eligible persons to remain safely at home, authorizes payment for care provider services.
- Long Term Care Ombudsman Program (LTCOP) - Provides complaint resolution and advocacy for residents in private care facilities. Maintains lists of local Residential Care and Skilled Nursing facilities
- Napa/Solano Area Agency on Aging (AAA) - responsible for planning and coordinating senior services
- Senior Centers- several locations throughout the County providing an assortment of services in health, recreational, and educational programs as well as meals, tax advice, informational, and support programs
- Vine Go Paratransit bus service by Napa Valley Transit Authority
- Registered Caregiver Program

## **Local Community Partners - Nonprofit Agencies**

- Molly's Angels- Network of volunteers providing transportation, care calls, food redistribution, emergency food, and a wide range of assistance
- Share the Care - Manages a Stop Falls program, free durable medical equipment, home health supplies recycling and exchange program, home safety assessments, grab bar installation, home modification recommendations, dental care funding, friendly visitors, rides, well-being assessments, care/crisis management, and assistance with paperwork
- Community Action Napa Valley (CANV) provides Meals on Wheels, daily home-delivered meals and conversation, Food Bank monthly allotment, Senior Brown Bag Program, and Bi-monthly food allotment
- Providence- Community Health Napa Valley (formerly Collabria) offers Adult Day Health, PACE (Program for the All-inclusive Care of the Elderly), palliative and hospice care, and free caregiver training and education.
- Healthy Aging Population Initiative (HAPI) provides a variety of programs to help seniors remain living safely at home
- Elder Abuse Task Force- Coalition of County Representatives and Community Partners that collaborate on available resources and coordinate efforts among various agencies.
- Monarch Justice Center- provides advocacy, resources, and comprehensive support services for survivors
- Healthy Minds Healthy Aging - A prevention and early intervention program for early signs of depression and/or cognitive decline



A Tradition of Stewardship  
A Commitment to Service

# **NAPA COUNTY GRAND JURY 2023-2024**

**April 10, 2024**

## **FINAL REPORT**

### **Hitting the Reset Button; Addressing Gangs in Napa County**

*"the child who is not embraced by the village  
will burn it down to feel its warmth"*

(African Proverb)

## Summary

Two gang affiliated Napa County attempted murders in 2023 provided the impetus for the Grand Jury to investigate the existence, composition, and activity of gangs in Napa County.

The consensus opinion of educators, police and prosecutors is that gang activity in Napa County is on the rise:

- Noted uptick in graffiti (tagging)
- Two gang related attempted murders in 2023, resulting in multiple incarcerations
- Juvenile gang prosecutions increased by 60% from 2021 – 2023. (10-16)

Gang activity in Napa County is primarily driven by two Mexican drug cartel affiliated gangs—Nortenos and Surenos. The group demonstrating the most activity changes over time, depending on numbers of incarcerated gang members:

- Membership includes 113 Nortenos and 70 Surenos.
- 177 adult gang members or associates are currently on probation for criminal activity.
- 24 known juvenile gang members are currently on probation.

Gang coordination among all County law enforcement and school administrators is currently conducted by the Napa Police Special Enforcement Unit (SEU) but without the structure and consistency which existed previously.

The Legacy Youth Program which targeted at risk youth within the Napa Valley Unified School District (NVUSD) was terminated in the 2020-2021 school year for a number of contributing reasons:

- Stakeholder feedback was mixed throughout Grand Jury investigations on the Legacy Program's effectiveness.
- Numerous nonprofit social programs currently exist, but none seem to be integrated into the NVUSD curriculum.

Gang participation appears to be starting at younger ages:

- Adult gang members recruit young gang members to conduct criminal activity due to lessened consequences as a minor.
- Napa Valley Schools have numerous court-directed probation students, many directly resulting from gang activity.

The Napa County Grand Jury recommendations that follow include:

- Reestablishment of a youth intervention program like Legacy, starting with students in the 5<sup>th</sup> grade
- Requirement of an annual strategic gang plan, created in collaboration with Napa Police Department's Special Enforcement Unit (SEU) and NVUSD

- Mandatory monthly attendance of gang task force meetings including all appropriate stakeholders – Education, School Resource Officers, Special Enforcement Unit, Juvenile and Adult Probation, Napa County Jail

## Background

Although gang activity has always been evident in Napa County it became more evident when schools returned to full session after the Covid lockdown. The questions that needed further study were why and what is being done to combat this trend.

Some of the key facts that support this conclusion are:

- With school paused, youth in the community had more free time with less supervision and thus were looking for things to do.
- Gangs became an avenue where they could get a sense of belonging.
- Younger youth were back in their neighborhoods with little supervision and even fewer things to do.
- Recruitment of younger students by existing gang members leads to more of them becoming initiated in the gang lifestyle.
- When schools reopened this new lifestyle became more prevalent in schools at all grade levels.

Napa County has undergone a big change in demographics with a large increase in the Hispanic population especially in the makeup of the school age population. Currently, more than 75% of all elementary school age students are of Hispanic descent and make up the vast majority of impoverished, at-risk students. Given the fact that the two dominant gangs in Napa are Hispanic gangs this magnified the problem. Although we learned that gang activity “ebbs and flows” in our community it can be said that we are in a pattern of increased gang membership. This growth has made it a more difficult problem for school administrators as they try and deal with more active gang members on campus.

Another factor contributing to the increased activity is the increase in socioeconomically disadvantaged youth. In the last eight years, this number has increased by 50% with now 75% of elementary aged youth falling into this category. Most of these students come from homes that are single parent homes or homes where parents are working more than one job, hence less supervision outside of school hours.

Additionally, many new laws have been implemented that make it harder for law enforcement to deal with the problem by making penalties for juvenile offenders less severe. These same laws also have affected the way schools can deal with these same problems. It is more difficult to discipline students for disruptive behavior, much of which can be attributed to gang like behavior.

As gang activity is now on the rise, programs that have traditionally proved effective in dealing with these problems have been eliminated or scaled back. Some examples are:

- Legacy program which proved effective at Vintage HS.
- Vocational programs as not everyone needs to go to college.
- Sports programs.

Although there are numerous nonprofits in Napa County, their ability to reach the youth they need to serve seems often hampered by a lack of coordination and effective outreach to the people they want to serve. Given the prevalence of social media to the younger generation it seems using social media to reach them needs to be improved.

The gang problem continues to grow in Napa and is reaching a younger and younger audience which means that solutions needed to combat this must be geared toward this younger group.

## **Methodology**

Approximately 28 interviews were conducted: including Police Chiefs from Napa, Calistoga, and St. Helena, School Resource Officers, members of the Napa County District Attorney's office, individuals from the Napa County Probation Department, Napa Valley Unified School District administrators, principals, and assistant principals, and Napa County Office of Education personnel.

The Jury toured public schools, community court schools, and Juvenile Detention Centers.

The Jury read California Supreme Court decisions, Ballot Measure Informational, Napa Valley Register news reports, the 2011 Napa County Gang and Youth Violence Master Plan, the 2008 and 2016 Napa County Grand Jury Reports on gangs in Napa County, the relevant portions of the Napa County Probation Department 2023-2024 Juvenile Justice Plan Report, documents from the Napa County District Attorney's office, and the California Penal Code.

Statistics throughout the report were based on information from individual public school websites, the California Department of Education statistics, and the US Census Bureau.

## **Discussion**

### **Demographics**

Napa County is mostly rural, relying primarily on the wine industry for its commerce. It is bordered by Lake County, Sonoma County, Solano County, and Yolo County. It consists of 748 square miles. According to the 2020 Census Napa County has an approximate population of 138,019 or 184 persons per square mile as compared to the state's average of 253.7 persons per square mile. There are five incorporated cities in Napa County: Napa (the most populous), American Canyon, Calistoga, St. Helena, and Yountville. The city of Napa has approximately 79,251 residents; American Canyon has approximately 21,843 residents; Calistoga has approximately 5,227 residents; St. Helena has approximately 5,420 residents; and Yountville has approximately 3,427 residents. 83% of Napa County's population resides within these cities.

According to the 2020 Census, Napa County racial percentage numbers are:

- Whites (non-Hispanic): 50% (reduction from 2010 Census of 56%)
- Hispanics: 36% (increase from 2010 Census of 32%)
- Asians: 9.4% (increase from 2010 Census of 7%)
- African Americans: 2.4% (increase from 2010 Census of 2%)

These 2020 percentages differ in comparison to state racial percentages:

- Whites (non-Hispanic) 34.7% (40% in 2010)
- Hispanics 40.3% (38% in 2010)
- Asians 16.3% (13% in 2010)
- African Americans 6.5% (6% in 2010)

The percentage of poverty levels in Napa County in 2007 stood at approximately 8.6%, compared to the State’s 12.4%. According to KidsData.org, the percentage of children living in poverty in 2019 was 7.0% (State:15.6%). In 2016, families living below self-sufficiency standard was 39.8% (State: 47.6%). It is also reported that in 2019, children living in food insecure households was 9.0% (State: 13.6%) but between 2016-2020 the percentage of children living in households with a broadband connected device was 95.5% (State: 93.2%).

According to KidsData.org, in 2021 there were 26,841 children under the age of 18 in Napa County and 16,024 children between the ages of 3 to 13. Of the total (26,841), Hispanics numbered 13,203 and Whites numbered 10,538. The following is statistical information regarding middle and high schools in central and southern Napa County from the California Department of Education. These statistics reflect the race percentages of the most populous groups, the percentage that are socioeconomically disadvantaged, the percentage that are homeless, and the percentage of English learners at each school.

The Department of Education School Dashboard’s definition of socioeconomically disadvantaged is students who are eligible for free or reduced price meals or whose parents/guardians lack a high school diploma.

<b>Napa County Office of Education 2020-2021</b>	<b>Hispanic</b>	<b>White</b>	<b>Filipino</b>	<b>Homeless</b>	<b>SocioEconomically Disadvantaged</b>	<b>English Learners</b>
Camille Creek	79.8%	11.7%	-	30.9%	90.4%	25.5%

<b>Napa Valley Unified School District 2022-2023</b>	<b>Hispanic</b>	<b>White</b>	<b>Filipino</b>	<b>Homeless</b>	<b>SocioEconomically Disadvantaged</b>	<b>English Learners</b>
American Canyon Middle School	40.8%	11.8%	22.5%	1.1%	60.5%	16.9%
American Canyon High School	37.5%	10.3%	27.1%	1.6%	54.7%	8.3%
Napa High School	75.1%	21.6%	-	1.6%	75.0%	21.1%
New Technology High School	62.6%	30.6%	-	1.4%	69.7%	11.5%
Redwood Middle School	62.3%	33.1%	-	1.1%	65.7%	23.5%
Silverado Middle School	72.5%	22.5%	-	2.4%	78.1%	34.9%
Unidos Middle School	73.0%	23.4%	-	1.2%	60.4%	26.4%
Valley Oak High School	72.4%	21.4%	-	3.6%	82.1%	17.3%
Vintage High School	53.6%	40.4%	-	0.8%	55.3%	11.2%

All these numbers become significant for a number of reasons as discussed below.

## The Death of Michael Arreguin Napa's Wake-Up Call

The crime rates in Napa County have largely been lower than most communities in California. Napa has always been known as a bucolic vacation destination where visitors from around the world come to relax and taste world class wines. The wine industry has also led to many Hispanics coming to work in viticulture.

Napa County is a place where people seeking a calmer, beautiful area to live have taken up residency. This has sometimes led to a general attitude that bad things, especially gang-related ones, don't happen here. Between 1994 to 1998 there were instances of gangs committing assaults on one another and drive-by shootings that resulted in no deaths, so the general population remained largely unconcerned. That all changed after May 16, 1998.

In the afternoon of May 16, 1998 two people believed to be Nortenos gang members, Michael Arreguin and Garret Elshere, had stopped in front of a home unrelated to them on Brown Street because of a flat tire. Lacking the equipment to replace the tire, they stayed there ostensibly waiting for help. During their wait, two associates of the Surenos gang, Roberto Cendejas and Jose Marin saw them and reported to Surenos gang members that Nortenos were on Brown Street. Two cars of Surenos returned to Brown Street, where Arreguin and Elshere still waited.

Jose Marin drove the first car in which Jacob Hutchins, a white person from Alabama who had just recently arrived in Napa and began associating with Surenos, had a gun and was riding in the front passenger seat. Roberto Cendejas drove the other car in which Gonzalo Alcalá had another gun. As the two cars passed by the Nortenos, both Hutchins and Alcalá opened fire. Hutchins' bullet found its mark in Arreguin, killing him. Alcalá's bullet hit the disabled car. All four Surenos were convicted and sentenced to life in prison. Two of the defendants, Hutchins and Cendejas, have been paroled and two defendants, Marin and Alcalá, remain in prison.

People in Napa were horrified. What if others had been shot in the crossfire? What if bullets had entered that house on Brown Street? Napa took action largely focusing on gang interdiction and enforcement through intelligence gathering, investigation, arrests and prosecution.

## The Gangs of Napa County

California Penal Code section 186.22(f) defines “‘criminal street gang’ as an ongoing, organized association or group of three or more persons, whether formal or informal, having as one of its primary activities the commission of one or more of the criminal acts enumerated in subdivision (e), having a common name or common identifying sign or symbol, and whose members collectively engage in, or have engaged in, a pattern of criminal gang activity.”

The two most prevalent gangs in Napa County's history have been the Nortenos and the Surenos, whose roots and animosity can be traced back years ago to a confrontation between a member of



the Mexican Mafia and a member of Nuestra Familia in a California prison over a pair of shoes. The Sureños, derived from the Mexican Mafia, identify with the color blue and the number 13 (13th letter of the alphabet-M for Mexican Mafia) and were thought to be from south of Bakersfield and first generation. The Nortenos, derived from Nuestra Familia, identify with the color red and the number 14 (14th letter of the alphabet-N for Nuestra Familia) and were thought to be from north of Bakersfield and with deeper roots in California. Each has expressed their identity through clothing and tattoos. They each have also claimed their territory with tagging (graffiti). Each calls the other derogatory names: Sureños, or Southerners as they were sometimes known, refer to Nortenos, or Northerners as they were sometimes known, as “chaps”, “chapetes”, or “Buster” and Nortenos refer to Sureños as “scraps”, “scrapas”, or “surats”. Both gangs have historically been largely Hispanic.

Over the years, the fight, which began over a pair of shoes, has spread into communities across the state and even Napa County.

## Napa County Gangs Today

The Nortenos and Sureños are the most prevalent gangs in Napa County. Now, they are represented in a number of “subsets”. Nortenos “subsets” are NSF (North Side Familia), NSL (North Side Locz), RS/125 (Riverside 125), and BPN (Brown Pride Nortenos). Sureños “subsets” are PBS (Pueblo Block Sureños) and BLS (Barrio Laurel Sureños). Today, it appears that whether or not someone came from north or south of Bakersfield or whether or not they are Hispanic is irrelevant in gang acceptance. However, approximately 90% of gang members and associates of those gangs are Hispanic.

Over the years, the waves of gang activity have “ebbed and flowed” according to almost all of the educators and law enforcement officials the Jury interviewed. They also believe that it is on the rise. Napa High School was reported to have the most gang activity of all the schools, other than Camille Creek. Law enforcement is seeing a level of sophistication and violence (even at middle schools) that is disturbing, as well as increased proliferation of guns (ghost guns). More middle students are wearing “colors” and acting defiantly and disrespectfully to authority. In 2023, there were two shootings that resulted in injuries to gang members. A third shooting occurred when a gang shot at a mobile home that was mistakenly believed to be occupied by opposing gang members. On February 16, 2024, two individuals, subsequently identified as 16- and 17-year-old Nortenos gang members, chased and shot at another individual. Fortunately, the victim was uninjured and the two Nortenos were arrested for Attempted Murder, Assault with a Deadly Weapon, Conspiracy, and the Criminal Street Gang Enhancement.

Gang fights at the high schools are increasing. Unfortunately, concerns about lawsuits and California Education Code sections 48900 and 48915 limit school administrators' ability to suspend or expel students for gang activity unless it involves certain specified offenses on campus.

The reasons that prosecutors, educators, probation officers, and law enforcement cite as the causes and reasons for this upsurge are varied:

- When Covid shut down schools, students had more free time and no supervision
- Lack of supervision due to a single parent household, or two parent households with those parents having to work long hours to survive
- Students not succeeding in the schools or were left thinking that they were being ignored joined to belong
- Joining a gang to have a sense of belonging
- Joining because of influence by older siblings (generational) in the home
- Wanting the party life and money that gang participation can produce
- The proliferation of social media

When Harvest Middle School closed (and reconfigured the student population at River Middle School) at the end of school year 2021-2022, sending more students to Silverado Middle School, it resulted in an increase in gang activity there last year. Administrators believe that was due to the mixing in of different student bodies. The transferred students were angry and depressed that their schools had been closed. The students at Silverado felt like they were being invaded. Gang activity at Silverado is still present. It is not at the level from the previous year. Despite that observation, law enforcement has observed disturbing behaviors at the middle schools, including Silverado.

Money is a major motivator for individuals to join gangs. Many of these at-risk youth come from homes that are impoverished, making the allure of making money enticing. The interviewees identified a number of ways that gang members acquire money. Currently the sale of vape pens, which can dispense THC, is high on the list of methods. Vape pens are almost undetectable due to their construction (plastic) and their small size. Even metal detectors cannot detect them which makes them easy to be brought on the school campuses for sale.

Gang members are also involved in theft, including skimming. Skimming is the tech method of stealing credit card information just by being relatively close to an individual with a radio skimmer. With one of those, the person can steal a victim's credit card information without that person knowing. The thief then uses the credit card information to obtain goods which can be resold for cash. Members have been observed wearing very expensive designer clothes with no obvious way to have purchased them. Law enforcement interviewees reported that gang members are very successful at the ways that they are making money.

Another disturbing trend is older gang members having or paying younger students to do their dirty work knowing that they would not get in serious trouble. One example that was given was an incident in which a 12-year-old child drove a car to Sacramento to get rid of a gun for an older gang member.

It is difficult to know just how many gang members there are in Napa County. The Jury attempted to obtain data illustrating those numbers, but they simply either don't exist anymore or are too difficult to obtain due to software issues. The Probation Department has reported per

Government Code section 30061(b)(4) that it uses California Justice Network (CJNet) “...a self-supported data management system designed to be able to collect, analyze, and report data...” While CJNet is currently being used for adult probationers, it is not yet being used for juvenile probationers.

Initially, CJNet had limitations regarding obtaining gang statistics from the District Attorney’s office but recently it has implemented a “tag” system to better obtain gang data. For example, prior to the ability to “tag”, the number of adult case data that could be readily obtained numbered for the two-year period of March, 2021 through December, 2023 was 12 total defendants without “P.C. 186.22 enhancement allegations and seven defendants with those enhancements alleged. With the “tag” the number of adult defendants with those enhancements number 24 for the three-year time period from December 20, 2020 to December 20, 2023.

In the future, the District Attorney and the Probation Department will be able to obtain specific numbers for defendants and crimes. District Attorney staff does not always know if a crime is gang related so they have their gang prosecutors review every one that may possibly be gang related, especially crimes involving guns. The District Attorney provided the Jury with the following statistics for juvenile petitions (charging documents) filed in Juvenile Court during years 2021 through 2023:

- 2021: 242 total juvenile petitions filed, 10 known to be gang related
- 2022: 279 total juvenile petitions filed, 14 known to be gang related
- 2023: 309 total juvenile petitions filed, 16 known to be gang related

Another reason for the lack of understanding of the number of gang members in Napa County is that gang members have become more tech savvy. They are moving to social media and not being so visible with their affiliations, i.e., not always boldly wearing their colors or other identifying elements. Additionally, CALGang, a state gang data reporting system, has been essentially eliminated. The District Attorney’s office does not miss that source as it now relies on the work of law enforcement, prosecutors, and probation for the lines of communication that do exist in Napa County. Despite some difficulty the Jury was able to track down the following additional statistics:

- Number of adults Probation Department supervises: 1,484
- Number of known adult gang members Probation Department supervises: 112 active, 65 associates. Adult gang Probation Officer currently supervises 25.
- Number of juveniles Probation Department supervises: 136 (non-diversion)
- Number of known Juvenile gang members Probation Department supervises: 24
- Number of known, active adult Surenos in 2023: 70 (40% increase since 2016)
- Number of known, active adult Nortenos in 2023:113 (125% increase since 2016)
- In 2022, 39% of weapons violations were gang related
- 89% recidivism rate for gang members over five-year time period

## Addressing the Gang Issue

Currently, representatives of law enforcement (police, prosecutors, probation officers) meet monthly to discuss gang issues including who is active/associated, who has been arrested, who is being released from custody, and specific crime intelligence. The most regular attendees currently are Napa Police Department ( SEU-Special Enforcement Unit, which consists of four officers), District Attorney's office's prosecutors, and members of the Probation Department. The Napa Sheriff's Office, St. Helena Police Department, and Calistoga Police Department do not attend regularly, although they are members of Napa County's Major Crimes Task Force. That task force binds all law enforcement agencies to work together to solve major crime incidents when assistance is requested by a member agency.

During previous surges in gang activity (approximately 1998-2008) and even beyond, there were more regularly attended meetings by all law enforcement, probation, and members of the District Attorney's office to address gang crime.

Both the Napa Police Department and Napa Sheriff's Department have assigned School Resource Officers (SROs) to all middle and high schools in Napa City and American Canyon. There is also an SRO and Probation Officers at Camille Creek Community School. SROs are not on campuses to arrest students. Their duties and responsibilities include campus safety but they are there also to build relationships with the students. School administrators meet monthly with the SROs as well as with representatives of the District Attorney's office and Probation Department to discuss gang, truancy and other issues.

The Jury interviews revealed that there is a strong bond and level of cooperation between the SROs and the educators as both seek to help these students. However, the SROs believe that there needs to be more consistency in the way issues are handled and, in some cases, more discipline for bad behavior. Some educators believe that the way to handle the gang members is with more understanding and a softer approach. Whatever their approach, they all agree that more needs to be done to address these issues at younger ages (middle school and, in some instances even at elementary school), including educating the students and parents. As one educator put it, "Schools are the canaries in the coal mine." Finally, educators and law enforcement unanimously believe that, although Napa is a wealthy community, there is very little or nothing in the way of after-school activities to keep these at-risk youth engaged and off the streets.

### The Impact of Propositions and Legislation on Criminal Justice: Handcuffing the Wrong Individuals?

In the last ten years, there has been a significant attempt by some to remake the criminal justice system in California, partially due to prison overcrowding. Some laws have been a positive step forward. However, the effort to make the criminal justice system run more fairly and to stop the overpopulation of the prisons may also be interfering with law enforcement's ability to deal with

crime and criminals. Some laws also may have had a counterproductive effect. The Jury examined some of those changes in law and their impact.

1. Proposition 47, referred to by some of its proponents as the “Safe Neighborhoods and Schools Act” (2014)

Proposition 47 reduced most theft crimes to misdemeanors where the value of the property “stolen” did not exceed \$950, including fraud, forgery, bad checks, petty theft with a prior conviction for petty theft, or receiving stolen property. It reduced simple possession of drugs, which previously could be charged as a felony, to a misdemeanor unless the accused had a specified prior felony conviction. Proposition 47 was retroactive so persons either in prison for a conviction now reduced to a misdemeanor or persons who already had served a sentence for that crime could petition to be released from prison and have that conviction deemed a misdemeanor. One of the motivating factors behind this law was reduction of the prison population in order to comply with a prior federal court decision.

According to a report by the Public Policy Institute in 2018, analyzing the impact of Proposition 47, it concluded that there had been no “convincing evidence that violent crime increased”. However, not surprisingly, it also found that after the law’s implementation there was “an immediate” increase in property crime rates, especially in larceny. The report also referred to this increase as a “slight uptick.” Law enforcement interviewees were unanimous in their conclusions that Proposition 47 has negatively impacted their ability to fight crime as evidenced by the rampant increase in theft of all forms. Gangs rely on theft as a means to make money and grow their memberships. To know that you can calculate how much you can steal and no matter how often without getting in much trouble, if any, is very attractive. At the time of this report there is a proposition for the November ballot and a bill before the legislature to roll back some of the theft provisions of Proposition 47.

2. Proposition 57: Public Safety and Rehabilitation Act (2016)

Proposition 57 gave prison inmates the ability to be considered for parole after serving their sentence for their primary, non-violent offense, instead of having to serve the additional time for any enhancements. It also increased credit earning possibilities for inmates, removed the possibility of prosecutors to directly charge juveniles with serious or violent crimes (as defined by law) as adults, and placed that decision solely in the hands of the court. Procedurally, the District Attorney must request that the juvenile accused be transferred to adult court for prosecution. After that happens, the judge holds an evidentiary hearing at which evidence is presented and arguments by counsel are made. The judge then determines if the juvenile should be transferred or remain charged in Juvenile Court as a juvenile. The factors that the judge relies on to make the decision are the severity of the offense, the juvenile’s maturity, and likelihood of rehabilitation.

### 3. Proposition 64: The Adult Use of Marijuana Act (2016)

This law legalized personal use and cultivation of marijuana for adults 21 years of age or older and reduced penalties for adults and juveniles regarding specified offenses. There was also a provision that enabled those previously convicted to obtain relief in the form of resentencing, dismissal or sealing of convictions (both adult and juveniles). While it did not legalize juveniles' personal use it did make all charges infractions, except manufacture of hash and driving under the influence of marijuana. The only penalties that the court can now impose on a juvenile was lowered to 4 hours of drug education (counseling-to be provided at no cost) and community service (up to 30 days for good cause). The court is not required to impose drug education if not available or unnecessary.

According to the Center for Disease Control (CDC), in 2019, 37% of high school students reported lifetime use of marijuana and 22% reported use within the past 30 days. Those figures remained about the same for 2020. However, many young people reported marijuana vaping including "8% of eighth graders, 19% of 10th graders, and 22% of 12th graders."

The CDC, as well as the American Academy of Pediatrics, has reported that human brain development continues into the mid-20s and that marijuana use during adolescence can harm the brain. Some other effects noted by the CDC and the Mayo Clinic are: increase in potential mental health problems including depression, social anxiety, temporary psychosis (hallucinations and paranoia), or long-term psychosis (schizophrenia); difficulty thinking and problem-solving; problems with memory and learning; reduced coordination; difficulty maintaining attention; and problems with school and social life.

### 4. Senate Bill 203 (2020)

Prior to the implementation of Senate Bill 203 (January 1, 2021) all juveniles 15 years of age and younger were required to have actual consultation (live or other means) with an attorney before a waiver of Miranda rights could be obtained for a custodial interrogation (Welfare and Institutions Code section 625.6). Senate Bill 203 amended Welfare and Institutions Code section 625.6 to extend those rights to juveniles age 17 and younger. The obvious net effect is that law enforcement's ability to investigate crimes involving those juveniles has been greatly impacted. No competent attorney is ever going to let their juvenile client be interrogated.

### 5. Assembly Bill 1950 (2020)

This legislation reduced the amount of time that an adult could be kept on probation for many misdemeanors and felonies. Prior to its implementation in 2021, most misdemeanors carried three years of probation and felonies three to five years of probation. This legislation limited probation for misdemeanors to one year and felonies to two years. There are exceptions to the limits. For example, Driving Under the Influence, Domestic Violence, serious felonies as defined by the Penal Code, and financial crimes involving \$25,000 or more remain subject to the previous terms of probation.

As expressed by the Probation Department, limiting the amount of time that a person can be on probation impedes their ability to “create lasting behavior change.” “[I]t takes time to help people change their lives as they move through the stages of change.” Further, probation’s job is to “help those on supervision through...evidence-based stages of change to allow them to learn new skills and tools to be able to modify their behavior.” Probation points out that doing this requires a tremendous amount of “assessments, cognitive behavioral treatment, and substance abuse...” counseling. Assembly Bill 1950 “...hinders [their] ability to help people change...” Interestingly enough, prior law and practice permitted the early termination of probation terms if appropriate by the courts without this legislation.

## 6. Senate Bill 823: Juvenile Justice Realignment (2020)

Senate Bill 823 ordered that counties not transfer serious or violent offenders after July 1, 2021 to the State’s Department of Juvenile Justice and requires counties to assume that responsibility. Previously, these serious offenders would be sent to one of four juvenile correctional facilities through the Department of Juvenile Justice [California Youth Authority (CYA)]. Those facilities are now closed.

Closing the state’s Department of Juvenile Justice, and thus CYA, meant that the most serious and violent offenders would no longer be the responsibility of the state but rather individual counties, including Napa County. The state did provide (as well as other legislation) some funding for the county to assist with the change in housing and programming required. Previously, the most violent and serious offenders, murderers, rapists, robbers, etc. were regularly sent to CYA, and its secure prison-like facilities.

Napa County must now provide housing and programming for juvenile offenders 14 years or older who have committed serious or violent felonies. When they were no longer permitted to transfer juvenile offenders to the state, Napa County contracted with Sonoma County to house those serious or violent juveniles. Napa County is remodeling a part of Juvenile Hall to accommodate these serious or violent offenders. Juveniles can potentially be ordered to serve many years of confinement. Napa County is also creating a “Camp”, which might also serve this need. Napa might have to provide housing and programming until an offender is 25 years old. The glaring reality is that local jurisdictions like Napa County were not set up to house these juvenile offenders.

## 7. Assembly Bill 90 (2017)

In 2017, Assembly Bill 90 was signed into law, taking effect on January 1, 2018. In California the entity called CALGang was an intelligence system that shared information among law enforcement agencies regarding gangsters, including membership and other identifying information. It was run by law enforcement. As a result of claims of inaccurate entries and failure to remove stale information regarding individuals, the legislature set out to correct these perceived inequities.

The result was Assembly Bill 90 which did a number of things. It transferred CALGang control to the Department of Justice, it created a moratorium on agencies reporting new information until a purge of the system was completed, and it placed other restrictions on its use including banning the transfer of information to the military, potential employers, or immigration. As a result, many law enforcement agencies across the state stopped using it, including Napa County. For all practical purposes, CALGang died as a result of Assembly Bill 90 and thus so did the ability for jurisdictions to easily share gang intelligence.

#### 8. Assembly Bill 333 (2021): The Gutting of the Gang Enhancement

Effective January 1, 2022, Assembly Bill 333 (AB 333) rendered the gang sentencing enhancements difficult, if not nearly impossible to prove. In fact, there is one train of thought to not bother alleging the gang sentencing enhancement. The changes are reflected below as presented by one of our interviewees in law enforcement:

a. “Criminal Street Gang”:

- i. **Previous:** “any ongoing organization, association or group whose members individually or collectively engage in a pattern of criminal gang activity”

**Now:** “any ongoing organized association or group whose members collectively engage in a pattern of criminal gang activity”

**Impact:** May need to show some organization and that multiple gangsters in pattern crimes or multiple gangsters committing the same pattern crime

b. “Pattern of Criminal Gang Activity”

- i. **Previous:** “last of those offenses within three years of a prior offense” and “the offenses were committed on separate occasions, or by two or more persons” and “the current offense can be a pattern offense”

**Now:** “last of those offenses within three years of the current offense” and “the offenses were committed on separate occasions by two or more members”, can no longer use certain crimes as prior offenses, the offenses commonly benefit a Criminal Street Gang, the common benefit is more than reputation, and the current offense cannot be used as a pattern offense

**Impact:** Restricts the kinds of crimes committed as precursors (including the current underlying offense) and may eliminate prior case law that permitted the predicate offender from having to be a member of the gang, i.e., could have been a wannabe



- ii. **Previous:** “for the benefit of ...” and “to promote, further or assist”

**Now:** language is the same but it “means to provide a common benefit which is “more than reputational.” (per CALJIC 14.01-jury instruction)

**Impact:** Examples now Includes: Financial gain, retaliation, targeting a perceived or actual gang rival, intimidation of witness or informant

c. Penal Code section 1109: Bifurcation

- i. **Previous:** Gang sentencing enhancements were proven during the same proceeding (trial) as the underlying offense. So, for example, the guilt of a gang member charged with assault with a deadly weapon and the “truth” of a gang sentencing enhancement would be determined in the same trial.
- ii. **Now:** Mandatory bifurcation of the enhancement from the trial on guilt of the underlying crime or, in some cases, if requested by the defense.
- iii. **Impact:** This means that District Attorneys are required to prosecute two separate trials: one trial determining guilt for the underlying crime and a second trial by the same jury to determine “truth” for the gang enhancement (unless there is some reason that the same jury can’t hear the enhancement trial). This could very well impact the admissibility of gang evidence in the trial for the underlying offense.

9. Assembly Bill 1308 (2017) Senate Bill 394 (2017)

In 2017, the California legislature amended Penal Code section 3051. These bills changed parole laws for juveniles. Juveniles could no longer be sentenced to life without the possibility of parole and they would be eligible for parole after 25 years. Section 3051 was also changed to provide new parole eligibility rules for individuals who committed crimes under age 23 and directed the parole board to use special criteria and procedures in these cases.

Now, youth offenders are eligible for parole in California as follows, subject to certain exceptions: (1) those convicted of controlling offenses committed at age 25 or younger and sentenced to a determinate sentence are eligible after 15 years; (2) those convicted of controlling offenses committed at age 25 or younger and sentenced to less than 25 years to life are eligible after 20 years; (3) those convicted of controlling offenses committed at age 25 or younger and sentenced to 25 years to life will be eligible after 25 years.

Additionally, the parole board thereafter, is required to refer only to a “controlling offense” when determining eligibility—meaning the longest-term offense. The changes effectively eliminated consecutive sentences in determining parole eligibility. In addition, among other requirements, the statute requires the parole board to “give great weight to the diminished culpability of juveniles as compared to adults, the hallmark features of youth, and any subsequent growth and increased maturity of the prisoner in accordance with relevant case law”. The news of criminals’ early parole possibilities is often devastating to the survivors or victims of serious crime since

they are typically advised at sentencing that their victimizers were going to be in prison much longer.

Some of the motivations behind the laws discussed in this section are well-meaning, such as reducing prison populations, reducing recidivism rates, getting services for adult and juvenile criminals close to home, and preventing abuses. However, some are counterproductive in efforts to reduce recidivism and addressing juvenile welfare and offenses. For example, as some of our interviewees noted, having gang criminals released from prison or jail earlier negatively impacts efforts to reduce gang participation as these gangsters are seen as negatively influencing the younger at-risk youth and gang members. Legalizing marijuana, and practically decriminalizing it for juveniles is counterproductive since we know that gang members are selling vape pens with THC and there is no question that the damage done to juvenile brains is a realistic concern. Making it more difficult to prosecute gang members and associates as well as preventing interrogations of juvenile criminals only make it easier for the gang members to get more at-risk youth involved in gangs. While it is true that there were abuses during the era of “3 Strikes” and “Tough on Crime”, we don’t want to throw out the baby with the bath water. Clearly the pendulum has swung the other way, and our at-risk youth may pay the price.

### Intervention: Save the Child

The Napa County Probation Department reported in its 2023-2024 Juvenile Justice Plan report per Government Code section 30061(b)(4) that it had identified “...gang intervention and prevention as being the primary gap in services for juveniles. The County currently lacks a comprehensive strategy to address the challenges presented by the presence and activities of juvenile offenders who are affiliated or associated with criminal street gangs. “Furthermore, Probation had launched “strategic planning” to include two initiatives to “enhance services to gang affiliated youth”. One idea they reported considering is to have Mobile Supervision to target areas of “high need” to bring services to those residents, including family members. The probation officers would partner with “community agencies” to accomplish this objective. The other idea they are considering is to “develop the camp program” for higher risk juvenile offenders and gang affiliates. Their stated objective would be to provide “evidence-based services in a secure setting” and to “keep them connected to family.” However, the Probation Department does have cognitive counseling groups.

A common theme expressed by both educator and law enforcement interviewees was that Napa must begin education and intervention efforts earlier, in middle school (and some elementary schools) for students and parents. Also, after school programs that are sports related or other activities should be expanded. Parents must be educated earlier on how to identify when their children are getting involved in gangs. The Jury also heard this sentiment from more than one interviewee: Napa County is a wealthy community and there are very few after school programs to keep children off of the streets.

Educators and members of law enforcement alike also stated that vocational programs at the schools needed to be returned or expanded to the extent that any exist at the schools. Not every child is meant to go to college. “The best way to stop a bullet is a job.”

There are a number of efforts that are being made in Napa County to deal with the prevention of youth becoming or staying gang members. These are some of those efforts:

- The schools have wellness centers with counselors and social workers
- There are SROs at all schools to establish relationships with students and to provide school safety
- Napa Police Department has a Community Service Officer run diversion program with a dynamic officer
- The following entities also provide services:
  - Boys and Girls Club: after school programs and mentoring
  - Sheriff’s activity league: After school gym activities
  - Mariposa: Assist at-risk girls break out of poverty
  - Mentis: Affordable mental health assistance
  - 10,000 Degrees: Scholarship opportunities for low-income children
  - Aldea: Mental health assistance
  - Lelia: Grant to help children
  - Girls on the Run: Third grade through fifth grade team building
  - Focus: Helping families thrive
  - Check in, check out: One on one mentorship
  - Bridging brothers: Latino, to develop tools to navigate issues
  - Cope: Recognize negative thoughts, replace with positive thoughts
  - Abode: Housing support for homeless
  - Voices: Support for foster, probation, and homeless children
  - On the Move: Action in pursuit of social equity
  - Office Work Experience: Camille Creek only
  - Internships in Kitchen Work and Welding: Camille Creek only
  - Naviance: College and career assessment tool
  - Color Contract: Bans gang colors, not used at NVUSD (their attorneys believe it infringes on the student’s rights)
  - Mean Girls: Peer support groups
  - Puerta Abierta (Open Door): Latino health care and human services
  - Student Safety Plan: For at-risk youth

Although there are clearly a number of non-profit organizations providing services for at-risk youth and their families, the Jury was unable to find that there is any coordination between them, educators or their administrations, and law enforcement, at a time when gang activity is on the rise.

## Camille Creek

Napa County Office of Education operates the Juvenile Hall school as well as Camille Creek Community School. Camille Creek was created as a result of the Department of Justice's mandate. Both schools are designed to "serve the educational needs of students who are under the protection or authority of the juvenile court or those who are referred from school districts due to truancy, behavioral issues or expulsion." Their objective is "to help students gain the social and academic skills they will need for employment or further education and the interpersonal skills they will need to maintain positive and meaningful relationships."

"The mission of Camille Creek Community School is to empower our county's most disenfranchised youth toward a productive future through restorative relationships, targeted instruction, and inspiring opportunities for growth."

The efforts at Camille Creek are impressive. There are committed administrators, teachers, an SRO, and Probation Officers assigned to the school. All are hands-on and determined to make a difference. There is a restorative justice program at the school which involves meeting with conflicting students and, possibly with their parents (and a social worker) to resolve disputes. There are two vocational programs there, culinary and welding education. They hope to expand both programs into internships. Currently, there are two students who have paid internships in welding at Nova Group in Napa.

Other efforts include the assigned probation officer to the Chamberlain class (students on probation supervision) who has taken students on field trips to different businesses to show opportunities, for example, and trips to the Senior Center to have the students teach the seniors how to use mobile devices. Both efforts are reported to have been successful. The school also gives rides to the Sheriff's Activity League gym, where students can participate in athletic after school activities. Finally, the school serves three meals a day to all students.

Camille Creek has statistics that indicate that they are on the right track. Indicators are strong parental contacts, the establishment of a wellness center, no expulsions, and reducing suspension rates. However, there have been limits on accomplishments. According to statistics provided by Camille Creek, current graduation rates are 59%. They are striving for a rate significantly higher. It should be noted that most students entering Camille Creek are lacking in school credits and their academic skills are not commensurate with their age levels.

Some of the interviewees noted that gang members and associates want to attend Camille Creek so that they can be with their "friends", explaining some of the bad behavior that gets them sent there. There are approximately 70 students currently enrolled at Camille Creek. Not surprisingly, there is a significant gang population in the student body. Administrators estimate that figure to be about "a third of the students..." and "approximately 10% of the students" sell drugs and possess guns (not on campus).

Law enforcement believes the percentage of gang members or associates is higher. Probation's estimate is 60% are gang members or associates. Currently all 12 students in the Chamberlain

class are believed to be involved in gangs, either as a member or associate. Probation and law enforcement are concerned that the high school level students are trying heavily to recruit the middle students there to join the gang. A concern was expressed that administrators and educators are inconsistent with the application of discipline.

### Napa's Star Community Service Officer

One program of intervention that the Jury learned about is the Napa Police Department's Juvenile Diversion Program. This program diverts students who have been truant or committed minor criminal offenses from having Welfare and Institutions section 601 petitions (truant or runaway allegations) or 602 petitions (criminal violations) filed in Juvenile Court. Currently, that program is operated by an officer who is dedicated to making a difference in the lives of these at-risk children and their families.

Every person familiar with this program and that officer were effusive in their positive opinions of that officer. One interviewee even commented, "Lord help us if that person retires." That officer holds the youth they supervise accountable. They show up in their homes when the students don't show up in school. That officer works tirelessly with them and their families. They recommended that resources be increased in these communities, that the school social workers visit in these families' homes more often, and mentorship be increased.

### The Legacy Program

The Legacy Youth Program was a school program meant to help build character development and educational success for underserved Hispanic youth, particularly young males. It was originally started in 2012 by an SRO at Vintage High School. "Camille Creek was [the] model used to develop the program." It initially began as an after-school program but needed to change because some participants "were on probation or had to take a bus." Thus, it became an elective class.

The program provided educational and leadership training. The idea was to work closely with students to keep their credits up, instilling pride. It was designed to keep the kids at that school rather than being sent to another school because they were failing. They developed a logo which they placed on tee shirts. The class became very popular and successful. It spread to Redwood and Harvest middle schools. The program became a victim of its success as more and more students wanted to participate, even ones that didn't need the training or attention. After the SRO went back to patrol, they became less able to help run the program, until they stopped completely. Throughout our interviews multiple individuals including educators and law enforcement commented on Legacy as being a success. However, there were multiple reasons brought up as to why the program was eventually canceled completely in the 2020-2021 school year. Other programs were created and utilized to replace Legacy but none have been as successful.

## Findings

F1. The Jury found that gang activity and gang association in Napa County are on the rise.

F2. The Jury found that due to the employment demographics in Napa County, increasing numbers of children are left unsupervised. This situation was exacerbated by the Covid Pandemic.

F3. The Jury found current gang activity and recruitment is more apparent in middle school and even younger ages.

F4. The Jury found that despite it having been proved to be successful, vocational curriculum has been eliminated within the NVUSD.

F5. The Jury found that Napa County has little to no after school activities for teens and preteens. There is a need for organized free programs, including sports and other after school activities.

F6. The Jury found that gang activity is supported by illegal money-making opportunities which can be attractive to underprivileged youth.

F7. The Jury found that coordination and communication among law enforcement, educators, and local service providers is not effective.

F8. The Jury found that data on gang membership and activity is limited and ineffective at gang intervention and prevention.

F9. The Jury found that some state legislation and propositions passed by the voters are hindering law enforcement's ability to interdict gang crime and, in doing so, improve gangs' ability to make money, which attracts more gang members.

## Commendations

C1. The Jury commends the Napa Police Department Special Enforcement Unit as well as the Napa County District Attorney's office's interdiction efforts to stop gang violence.

C2. The Jury commends the Napa Police Department's Juvenile Diversion Program and the dedication of its diversion officer.

C3. The Jury commends the Napa Police Department, Napa Sheriff's Department, the Napa Valley Unified School District, and the Napa County Office of Education for their School Resource Officer program and also acknowledges the dedication of the School Resource Officers assigned to the Napa County Schools.

C4. The Jury commends the Napa County Probation Department's officers assigned to Camille Creek who go beyond their duties to help at-risk youth as well as the officers assigned to supervise gang members and associates.

C5. The Jury commends the Napa Sheriff's Department for its Youth Activities League programs.

## **Recommendations**

R1. By December 31, 2024, Napa Valley Unified School District and Napa County Office of Education will implement programs that focus on elementary and middle schools with gang prevention and parental education programs.

R2. By the fall of 2025, Napa Valley Unified School District and Napa County Office of Education restore free high school vocational curriculums (CTE- Career and Technology Education) and partner with local industries to align their course offerings with labor market needs.

R3. By the fall of 2025, Napa Valley Unified School District and Napa County Office of Education, to maximize OTS (out of school time), partner with non-profit stakeholders to provide enriching experiences that provide lasting developmental benefits.

R4. By December 31, 2024, Napa Valley Unified School District and Napa County Office of Education establish a bi-annual meeting between the Napa Valley Unified School District, Napa County Office of Education and business community organizations such as Rotary, Elks, Moose, Napa Chamber of Commerce, and the Napa County Hispanic Chamber of Commerce to create job opportunities, internships, and training for credits.

R5. By September 30, 2024, the Napa County Board of Supervisors and Napa City Council identify financial resources to support community efforts to help families in need.

R6. Beginning July 1, 2024, the Napa County Board of Supervisors and Napa City Council support legislation to roll back decriminalizing drug and theft crime.

R7. By December 31, 2024, the Napa Valley Unified School District and the Napa County Office of Education strengthen the current stakeholder task force (law enforcement and schools) including non-profits which specialize in gang prevention and intervention and local industries.

R8. By September 30, 2024, the City of Napa Police Department create a succession plan for the Community Service Officer role in the Juvenile Diversion Program, including program expansion.

R9. By December 31, 2025, the Napa County Sheriff, the City of Napa Police Department, the City of St. Helena Police Department, the City of Calistoga Police Department, the District Attorney's office and the Napa County Probation Department create an integrated

data collection system to improve the efficiency of trend monitoring associated with gangs and gang crimes.

## **Request for Responses**

Board of Supervisors – R5, R6

Napa City Council – R5, R6

Napa County Sheriff – R9

Napa County District Attorney – R9

## **Invited Responses**

City of Napa Police Chief – R8, R9

School Resource Officers – R8

NVUSD Director of Student Services – R1, R2, R3, R4, R7

Napa Valley Unified School District – R1, R2, R3, R4, R7

Napa County Office of Education – R1, R2, R3, R4, R7

Napa County Probation Department – R9

City of Calistoga Police Chief – R9

City of St. Helena Police Chief – R9





A Tradition of Stewardship  
A Commitment to Service

# **NAPA COUNTY GRAND JURY 2023-2024**

**May 1, 2024**

## **FINAL REPORT**

**Napa County Building Department:  
The Good, the Bad, and the Confusing**

## SUMMARY

Application for a building permit in Napa County begins a process that is often lengthy and unmanageable. The 2023-24 Napa County Grand Jury investigated the process for seeking and obtaining approval on building projects and the causes of protracted delays. The issuance of permits rests with Napa County Planning, Building & Environmental Services (PBES). The building division has primary control over the issuance of permits.

After a thorough review of common delays to the building permit process, the Jury has uncovered three primary reasons contributing to processing delays:

- Understaffing of plans examiners, specifically examiners trained in the fire safety code
- Breach of special event protocol
- Complexity and inefficiency of the permit application

All plan submittals must adhere to county, state, and federal fire safety codes and without the full approval from the Fire Marshal's office, plans cannot be approved. Currently there is only one employee to conduct those reviews, resulting in a frequent backlog.

A second and potentially more troubling reason for delays in processing is due to special event permitting protocols not being followed. When an entity in Napa County desires to hold a special event of more than two hundred attendees, they must apply for a temporary event license permit. Per Napa County policy, the application must be submitted at least 60 days in advance. The policy provides that if the permit application is submitted in fewer than 60 days, but greater than 50 days from the event the department may impose late fees. More importantly, if the application is submitted fewer than 50 days in advance of the event, the policy requires denial of the permit.

Contrary to this policy, an annual golf tournament has routinely violated the specified permitting timing without consequence. Other plan submittals, already in process, are deferred while the last minute necessary approvals for the golf tournament are completed. Interviewees the Jury spoke with believe the exception to the policy is supported up the chain of command, due to the importance and positive economic impact of the tournament.

The starting point for permit applications is itself a notable challenge. The Napa County building website (<https://www.countyofnapa.org/1842/Building-Permit-Proces>) recommends following the steps outlined in a five-page building matrix. The complexity and inefficiency of the matrix leaves even seasoned professionals confused.

The Jury's investigation ultimately led to nine recommendations addressing staffing, adherence to policies, and simplification of the application process.

# BACKGROUND

Napa homeowners actively engage in improving their own property. The recent rapid growth in Napa County has created a substantial demand for new construction. Additionally, a series of natural disasters has created an urgent need to rebuild.

Growth demands services and the people to perform them. An already limited hiring pool has been further stressed by Covid19 work restrictions along with increased retirements.

Napa’s PBES is composed of several divisions that oversee all aspects of construction in the unincorporated areas of the county. It issues permits and ensures adherence to local and state regulations.

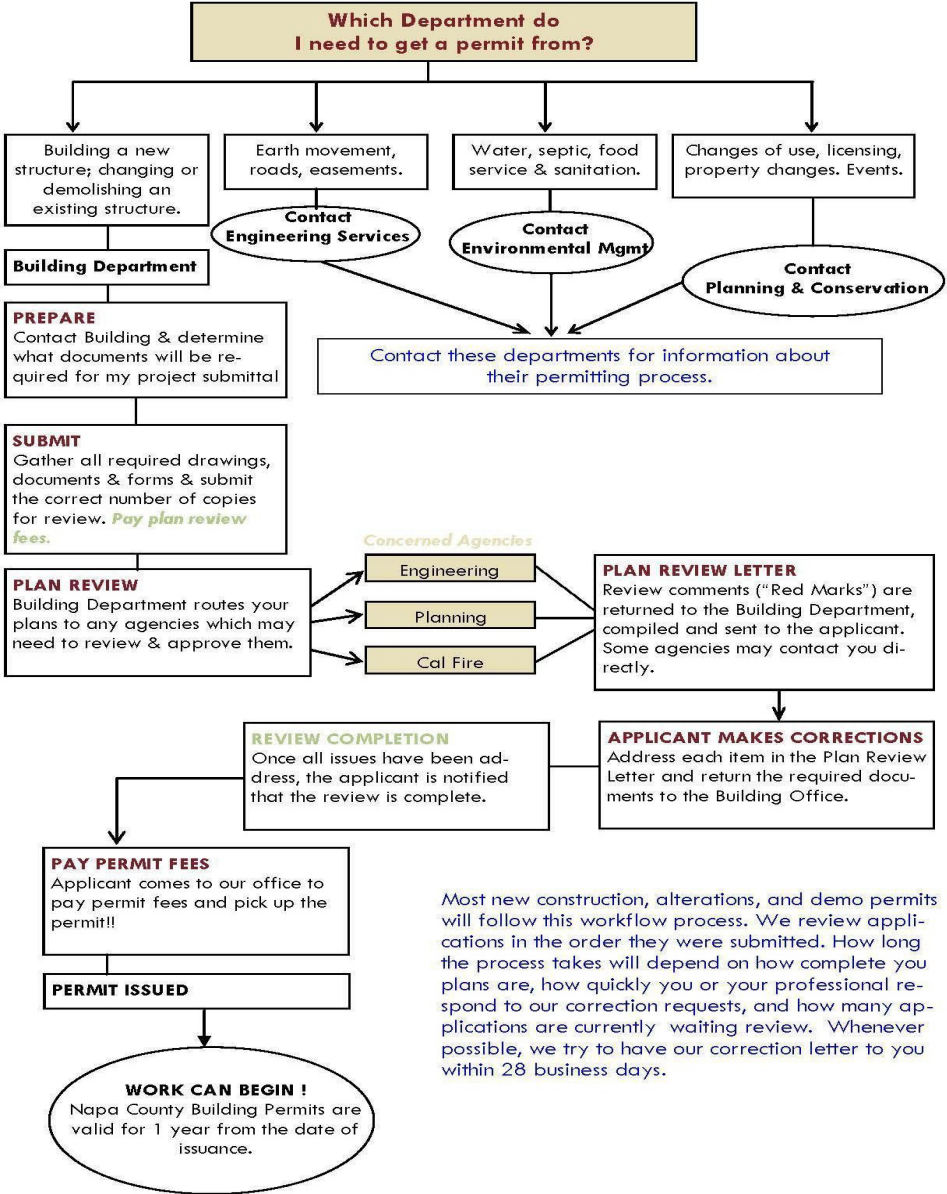
Many building projects, large and small, require a permit. Obtaining the necessary permit can be simple and quick; for example, a water heater change or a re-roof. More often it can be a complex, multi-step procedure requiring the participation of licensed professionals and multiple divisions of PBES.

To begin an online building application an applicant must first determine what documentation and which permits will be required for the project. PBES provides a building permit matrix for guidance: <https://www.countyofnapa.org/1842/Building-Permit-Process>. Following is a picture of page 1 of the matrix. A picture speaks a thousand words:

What type project are you applying for?	What type of plans will you need? (see Submittal Checklist for complete document requirements)					Which Submittal Checklist will you need to submit with your application?  Please note the first page of the Submittal Checklist must be completed and included in your submittal package.	What timeline until you receive first round plan check comment:  Express (3-5 days), Quick (7-10 days), or Standard (28 Days)	Which Departments Will Be Reviewing Your Project?  Please see note (f)	Questions to help you identify the type of review your permit will be considered:  Please note all projects are subject to reclassification upon review of the submittal depending on scope and other issues that may require a lengthier plan review.
	Plans "Drawings" (Single Combined PDF File with bookmarks)		Supporting Documents						
	Site Plan	Architectural Structural Foundations Civil Plans	Energy Forms	Structural Calculations	For Example: Cal Green, Waste Management, Manufactures Specifications Other				
Agriculture Buildings:	X	X	Yes-if conditioned	If applicable – dependent on design (a)	Cal Green Waste Management Geotechnical Report (g) Agent Authorization (c)	New Residential Checklist Or New Commercial Checklist	Express: <600 sq. ft. single story, no more than 15' height, not first structure on property Quick: >600 sq. ft. no other use other than Ag Commercial = Standard	Building Plan Check Environmental Health Engineering Planning Fire	1. Is there a dwelling on the property? Y=Residential N=Commercial 2. Is there any other use besides Ag use (i.e. studio, exercise room, conditioned space, recreation room, etc.)? Y= Std N= Express or Quick 3. Is the building more than one story? Y= Quick or Std N= Express 4. Is the building less than 600 sq. ft.? Y=Express N=Quick or Std
Accessory Buildings (mechanical, pump house, storage shed, garage, pool house, etc.):	X	X	Yes-if conditioned	if applicable – dependent on design(a)	Cal Green Waste Management Geotechnical Report (g) Agent Authorization (c)	New Residential Checklist Or New Commercial Checklist	Express: <600 sq. ft. single story, no more than 15' height, not first structure on property Quick: >600 sq. ft. Commercial = Standard	Building Plan Check Environmental Health Engineering Planning Fire	1. Is there a dwelling on the property? Y=Res N=Com 2. Is the building more than one story? Y= Quick or Std N= Express 3. Is the building less than 600 sq. ft.? Y=Express N=Quick
Carports:	X	X	N/A Commercial may need forms	if applicable – dependent on design (a)	Geotechnical Report (g) Agent Authorization (c)	Residential Addition- Alteration Checklist or Commercial Additions- Alteration Checklist	Express: Less than 600 square feet Quick: >600 sq. ft. Commercial = Standard	Building Plan Check Environmental Health Engineering Planning Fire	1. Is there a dwelling on the property? Y=Res N=Com 2. Is the structure less than 600 sq. ft.? Y=Express N=Quick
Commercial - Alteration	X	X	X	if applicable – dependent on design (a)	Waste Management Geotechnical Report (g) Special Inspection depending on design Agent Authorization (c)	Commercial Addition- Alteration Checklist	Standard	Building Plan Check Environmental Health Engineering Planning Fire	
Commercial Building - New	X	X	X	if applicable – dependent on design (a)	Cal Green Waste Management Geotechnical Report (g) Special Inspection depending on design Agent Authorization (c)	New Commercial Checklist	Standard	Building Plan Check Environmental Health Engineering Planning Fire	
Decks:	X	X	N/A	if applicable – dependent on design (a)	Geotechnical Report (g) Agent Authorization (c)	New Residential Checklist Or New Commercial Checklist	Express:<600 sq. ft. single story, no more than 15' height Quick: >600 sq. ft. or multi-story Commercial = Standard	Building Plan Check Environmental Health Engineering Planning	1. Is there a dwelling on the property? Y=Res N=Com 2. Is the deck more than one story not more than 15' in height? Y= Quick N= Express 3. Is the building less than 600 sq. ft.? Y=Express N=Quick

The five-page Matrix (attached in the Appendix) is complicated and confusing to anyone who may want to apply for a building permit. Because of its complexity, many applicants have to hire expensive professionals to manage the process.

The website’s flow chart (<https://www.countyofnapa.org/DocumentCenter/View/3478/Flow-Chart-of-Permit-Process-PDF>) is also confusing.



Most new construction, alterations, and demo permits will follow this workflow process. We review applications in the order they were submitted. How long the process takes will depend on how complete you plans are, how quickly you or your professional respond to our correction requests, and how many applications are currently waiting review. Whenever possible, we try to have our correction letter to you within 28 business days.

Although in-person assistance is still available at the counter, permit application submission is now 100% online and digital. Applications are completed using an intuitive tool that guides the process. A helpful getting-started tutorial and a step-by-step guide have been provided simplifying the submission process and creating a continuous information flow among the participating divisions. Using the online tool, the applicant can select details of the progress, learning of any issues delaying the process, and guiding them through the next steps. This tool has been a significant improvement to the process. To improve things further the PBES plans to include “how to” videos in the future.

The speed an application moves through the process depends on multiple factors. More complex projects typically require cross-divisional approval and depend on staff availability in each division.

After the application has been submitted, accompanied by the required documentation, it undergoes review by multiple examiners in different divisions who check for compliance. Unlike the other work hubs which are located within PBES, the Fire Plans Examiner works separately as a member of the County Fire Marshal's Office.

Once the permit has been obtained and the project has begun, county officials are required to visit the property to inspect the workmanship. An approved inspection is required for a project to move from one stage to the next. A simple project might only require a single visit at completion for final approval. A more complex project will have multiple inspection checkpoints, each requiring the visit of an inspector. When every aspect of each stage has been inspected and approved, the project will be “signed off” as complete.

PBES is also responsible for the permitting of local events. Festivals, concerts, fairs, and tournaments require special permits. The sponsors of those events typically require temporary structures, food, and parking. Each of those elements may require specific approvals to comply with health, safety, and zoning regulations. Supervision and approval by the County are critical to ensure a safe environment for attendees. There have been issues regarding adherence to the permitting protocol.

## **METHODOLOGY**

The Jury interviewed:

Napa County Departmental Directors  
Napa County Project Managers  
Napa Valley Self Employed General Building Contractor  
Napa Valley Homeowner  
Napa County Departmental Supervisors  
Napa County Fire Marshal's Office Staff  
Napa County PBES Staff

Napa County Special Projects Staff

Information reviewed includes:

<https://www.countyofnapa.org/589/Planning-Building-Environmental-Services>

<https://www.countyofnapa.org/1842/Building-Permit-Process>

<https://www.countyofnapa.org/2116/Board-of-Supervisors>

<https://www.countyofnapa.org/3492/Building-Division>

<https://www.countyofnapa.org/DocumentCenter/View/20702/Matrix---Permit-Requirements-by-Project-Type---qualifiers?bidId=>

<https://www.countyofnapa.org/DocumentCenter/View/3349/Temporary-Events-License-Application-Packet-PDF>

## **DISCUSSION**

### **Fire Marshal Plans Examiner**

The Napa County Fire Marshal's office is responsible for reviewing and approving all new building permit applications for property improvements, remodeling, additions, and new build construction to ensure compliance with the fire building safety codes. Thus, most permits will not be granted without Fire Marshall approval.

Prior to the hiring of the current plans examiner, there was a six-month vacancy driven by the difficulty in hiring a qualified individual trained in fire safety codes. The Jury learned that the department is attempting to hire a second plans examiner. If PBES is unable to hire a second plans examiner, then staff vacancy will continue whenever the sole examiner currently on staff is absent for any extended time. These staffing shortages are causing extended building plan approval times.

### **Temporary Event License Permits/Temporary Event License**

When an entity in Napa County desires to hold a special event of more than two hundred attendees, it must apply for a temporary event license permit from PBES. The application package includes a checklist that spells out what is expected from each applicant, along with a temporary event manual. These documents can be obtained through the Napa County website.

Per Napa County policy, the application must be submitted at least 60 days in advance. If the application is submitted in fewer than 60 days but greater than 50 days from the event, PBES may impose late fees. If the application is submitted less than 50 days in advance, the policy requires denial of the permit. There is an annual golf tournament that has routinely violated these policies. Interviewees reported that the permits were approved despite the policy violation because they were instructed to do so by directive.

The building department and planning departments were pressured to stop their work to accommodate last-minute submittals. Multiple county interviewees stated that these directives have been a pattern for the past three years and are on-going. The Jury was informed by several of the interviewees that this failure to follow protocol interferes with their workload and negatively impacts the applicants who adhere to the rules.

In 2023 the non-compliance of the protocol peaked when Napa County did not receive the required fees until after the tournament concluded. Nonetheless, the golf tournament was allowed to proceed without the final permit being issued.

**2021 Golf Tournament**

Event Date	September 16-19, 2021
Application and Fees Submittal	August 16, 2021
Event Permit Issue Date	September 14, 2021
Submittal Date & Policy Requirements	20 Days after the deadline.

**2022 Golf Tournament**

Event Date	September 15-18, 2022
Application and Fees Submittal	August 29, 2022
Event Permit Issue Date	September 14, 2022
Submittal Date & Policy Requirements	33 Days after the deadline.

**2023 Golf Tournament**

Event Date	September 14-17, 2023
Application and Fees Submittal	August 7, 2023
Event Permit Issue Date	October 4, 2023
Submittal Date & Policy Requirements	Permit was issued after event concluded

**Napa County Building Matrix**

The purpose of the matrix is to provide a standardized system for including building code-related data on a set of drawings that are submitted for building permit applications. The building matrix outlines the specific requirements needed to be met for each project type to submit a complete application for review to be approved.

It is a complex five-page document, dated June 13, 2023, that was originally intended to be an internal staff reference guide, not a guide for public use. The document is confusing to the homeowner who desires to obtain a permit without hiring a professional to assist them.

The matrix is live on the Napa County website for residents and contractors to review. The matrix is intimidating and frustrating, often leading to misunderstanding. This can result in

delays due to missing information or not meeting the matrix requirements, potentially ending with a denial of the application.

### **Customer Satisfaction & Complaints**

PBES is currently without a process for customers to provide feedback, either in person or on the website. Important guidance that might pinpoint areas of improvement and provide insight into a consumer's service perception is not obtained.

Additionally, PBES does not survey customers post-project completion, nor do they retain records of complaints. There is no formal feedback mechanism to measure customer level of satisfaction or to raise awareness for process and performance improvement.

### **Building Field Inspections**

Once a building permit is issued, required inspections can be scheduled. Interviewees reported inconsistencies in inspector feedback on the same project. In one example, the approval of a sink installation by one inspector was later rejected by a second inspector. This inconsistency raises costs and takes additional time. Often, building code interpretations differ from one inspector to another. While inspectors are typically assigned to specific coverage areas, these areas change periodically which can lead to alignment issues between inspectors.

Electronic technology is currently underutilized by the building department. There is only one iPad for six inspectors. While laptops can be used, they require Wi-Fi which is not consistently available in Napa County. The lack of real time information like notes from prior inspections further contributes to inspector alignment issues and approval timing.

### **Office Environment**

The three divisions of PBES are located at the same address on the same floor. A visit by the Jury revealed that those diligent, resolute employees are tightly configured into an exceedingly small working space. Despite this difficult environment, the staff has a very collegial and cooperative working attitude. Under exceedingly difficult conditions, they continue to get the job done.

## **FINDINGS**

F1. The Jury found that Napa County has only one full-time Fire Plans Examiner. *After this report was written, the Jury learned that the department had hired a second Fire Plans Examiner.*

F2. The Jury found that all Napa County building permits must be approved by the Fire Plans Examiner.

F3. The Jury found that as a result of staff shortages, projects throughout the county are delayed and customers are in a holding pattern pending approvals for extended periods of time.



F4. The Jury found that an annual golf tournament held in Napa County has consistently been allowed to not comply with the permit application rules.

F5. The Jury found the Napa County permit matrix to be a complex five-page document that is confusing to the average applicant.

F6. The Jury found that PBES is currently without a formal process for customers to provide feedback, either in person or on the website.

F7. The Jury found that PBES does not assign specific field inspectors for entire projects leading to potential conflicting opinions about required corrective actions.

## COMMENDATIONS

The Jury commends the continuing efforts of the PBES team implementing the online digital platform.

The Jury commends the PBES's dedicated staff who perform despite the challenges of staff shortages and cramped office environment.

## RECOMMENDATIONS

R1. By December 31, 2024, the Jury recommends that a qualified fire code plans examiner be hired to ensure the department has adequate coverage to meet the demands of the building permit submissions. *After this report was written, the Jury learned that the department had hired a second Fire Plans Examiner.*

R2. The Jury recommends that PBES immediately cross-train a staff member to cover the work volume during staffing shortages or vacancies. The department should not allow a position to remain vacant for any extended length of time.

R3. The Jury recommends that PBES immediately require compliance with the 60 (50) day rule for all applicants of temporary events license permits.

R4. By December 31, 2024, the Jury recommends that PBES initiate a comprehensive review of existing policies and procedures regarding temporary events license permits to ensure future compliance and accountability.

R5. By December 31, 2024, the Jury recommends that PBES modify the existing internal matrix into a format understandable by applicants.

R6. By September 30, 2024, the Jury recommends that PBES develop a customer feedback option, in person and online, as part of the application process. PBES should retain these records for potential performance improvement and evaluation purposes.

R7. The Jury recommends that, whenever possible PBES send the same inspector to conduct follow-up inspections.

R8. The Jury recommends that PBES immediately establish a protocol for resolving conflicting code interpretations by different inspectors on the same project.

R.9 By December 31, 2024, the Jury recommends that PBES provide mobile compatible electronic devices for each field inspector capable of reviewing plans and prior inspection notes.

## **REQUEST FOR RESPONSES**

Napa County Board of Supervisors – R2, R3, R4, R5, R6, R7, R8, and R9

## **INVITED RESPONSES**

Director, Napa County Department of Planning, Building, and Environmental Services - R2, R3, R4, R5, R6, R7, R8, and R9

Chief Building Official, Napa County – R2, R3, R4, R5, R6, R7, R8, and R9 Napa

County Fire Marshall – R2

Reports issued by the NCGJ do not identify individuals interviewed. Penal Code section 929 requires that reports of the NCGJ not contain the name of any person or facts leading to the identity of any person who provides information to the NCGJ.
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# APPENDIX

The complete five-page building permit matrix from <https://www.countyofnapa.org/1842/Building-Permit-Process>.

What type project are you applying for?	What type of plans will you need? (see Submittal Checklist for complete document requirements)					Which Submittal Checklist will you need to submit with your application?  Please note the first page of the Submittal Checklist must be completed and included in your submittal package.	What timeline until you receive first round plan check comment:  Express (3-5 days), Quick (7-10 days), or Standard (28 Days)	Which Departments Will Be Reviewing Your Project?  Please see note (f)	Questions to help you identify the type of review your permit will be considered:  Please note all projects are subject to reclassification upon review of the submittal depending on scope and other issues that may require a lengthier plan review.
	Plans "Drawings" (Single Combined PDF File with bookmarks)		Supporting Documents						
	Site Plan	Architectural Structural Civil Plans	Energy Forms	Structural Calculations	For Example: Cal Green, Waste Management, Manufactures Specifications Other				
Agriculture Buildings:	X	X	Yes-if conditioned	If applicable – dependent on design (a)	Cal Green Waste Management Geotechnical Report (g) Agent Authorization (c)	New Residential Checklist Or New Commercial Checklist	Express <600 sq. ft. single story, no more than 15' height, not first structure on property Quick >600 sq. ft. no other use other than Ag Commercial = Standard	Building Plan Check Environmental Health Engineering Planning Fire	1. Is there a dwelling on the property? Y=Residential N=Commercial 2. Is there any other use besides Ag use (i.e. studio, exercise room, conditioned space, recreation room, etc.)? Y=Std N= Express or Quick 3. Is the building more than one story? Y= Quick or Std N= Express 4. Is the building less than 600 sq. ft.? Y=Express N=Quick or Std
Accessory Buildings (mechanical, pump house, storage shed, garage, pool house, etc.):	X	X	Yes-if conditioned	If applicable – dependent on design(a)	Cal Green Waste Management Geotechnical Report (g) Agent Authorization (c)	New Residential Checklist Or New Commercial Checklist	Express <600 sq. ft. single story, no more than 15' height, not first structure on property Quick >600 sq. ft. Commercial = Standard	Building Plan Check Environmental Health Engineering Planning Fire	1. Is there a dwelling on the property? Y=Res N=Com 2. Is the building more than one story? Y= Quick or Std N= Express 3. Is the building less than 600 sq. ft.? Y=Express N=Quick
Carports:	X	X	N/A Commercial may need forms	If applicable – dependent on design (a)	Geotechnical Report (g) Agent Authorization (c)	Residential Addition-Alteration Checklist or Commercial Addition-Alteration Checklist	Express: Less than 600 square feet Quick >600 sq. ft. Commercial = Standard	Building Plan Check Environmental Health Engineering Planning Fire	1. Is there a dwelling on the property? Y=Res N=Com 2. Is the structure less than 600 sq. ft.? Y=Express N=Quick
Commercial - Alteration	X	X	X	If applicable – dependent on design (a)	Waste Management Geotechnical Report (g) Special Inspection depending on design Agent Authorization (c)	Commercial Addition-Alteration Checklist	Standard	Building Plan Check Environmental Health Engineering Planning Fire	
Commercial Building - New	X	X	X	If applicable – dependent on design (a)	Cal Green Waste Management Geotechnical Report (g) Special Inspection depending on design Agent Authorization (c)	New Commercial Checklist	Standard	Building Plan Check Environmental Health Engineering Planning Fire	
Decks:	X	X	N/A	If applicable – dependent on design (a)	Geotechnical Report (g) Agent Authorization (c)	New Residential Checklist Or New Commercial Checklist	Express:<600 sq. ft. single story, no more than 15' height Quick >600 sq. ft. or multi-story Commercial = Standard	Building Plan Check Environmental Health Engineering Planning Fire	1. Is there a dwelling on the property? Y=Res N=Com 2. Is the deck more than one story not more than 15'in height? Y= Quick N= Express 3. Is the building less than 600 sq. ft.? Y=Express N=Quick

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What type project are you applying for?	What type of plans will you need? (see Submittal Checklist for complete document requirements)					Which Submittal Checklist will you need to submit with your application?  Please note the first page of the Submittal Checklist must be completed and included in your submittal package.	What timeline until you receive first round plan check comment:  Express (3-5 days), Quick (7-10 days), or Standard (28 Days)	Which Departments Will Be Reviewing Your Project?  Please see note (f)	Questions to help you identify the type of review your permit will be considered:  Please note all projects are subject to reclassification upon review of the submittal depending on scope and other issues that may require a lengthier plan review.
	Plans "Drawings" (Single Combined PDF File with bookmarks)		Supporting Documents						
	Site Plan	Architectural Structural Civil Plans	Energy Forms	Structural Calculations	For Example: Cal Green, Waste Management, Manufactures Specifications Other				
Demo Permits	X	N/A	N/A	N/A	Waste Management J-Number from BAAQ PG&E Release Form Agent Authorization (c)	Demo Checklist	Express	Building Plan Check Environmental Health Engineering Planning Fire	
Detached Outdoor Kitchens: Less than 600 square feet in floor area and open on 3 sides.	X	X	N/A Commercial may need forms	If applicable – dependent on design	Agent Authorization (c)	New Residential Checklist Or New Commercial Checklist	Express: <600 sq ft and open on 3 sides Quick >600 sq ft or enclosed Commercial = Standard	Building Plan Check Environmental Health Engineering Planning Fire	1. Is there a dwelling on the property? Y=Res N=Com 2. What is the square footage of the outdoor kitchen? >600 = Express <600= Quick 3. Is this open on 3 sides? Yes = Express No= Quick
Electric Vehicle (EV) Charging Stations: Type 1 and Type 2.	X	X	EV forms are required.	N/A	Manufacturer's product specifications/ product literature. Agent Authorization (c)	Solar/Energy Storage/Vehicle Charging Submittal Checklist	Residential = Express Commercial = Standard	Building Plan Check Commercial would include Environmental Health Engineering Planning Fire	1. Is there a dwelling on the property? Y=Res N=Com
Electrical Service Upgrades and New Service Panels:	N/A	N/A	N/A-UNLESS Commercial, then required.	N/A	Load calculations for residential services larger than 600 amp for or any 3-phase service or all commercial Agent Authorization (c)		Express Quick: services over 600 AMP	Building (use workflow status No Other Review)	1. Is there a dwelling on the property? Y=Res N=Com 2. Is the service more than 600 AMP? Y=Express N=Quick
Energy Storage Systems (Battery Back ups)	X	X	N/A	N/A	Manufacturer's product specifications/ product literature. Agent Authorization (c)	Solar/Energy Storage/Vehicle Charging Submittal Checklist			1.
Entry Gates and Fences: Only Those not requiring special fence permits.	X	X(e)	N/A	If applicable – dependent on design and any gates over 6' tall	Agent Authorization (c)	Entry Gate Checklist	Residential = Express Commercial = Standard	Building Plan Check Environmental Health Engineering Planning Fire	2. Is there a dwelling on the property? Y=Res = Express N=Com = Std
Generator	X	X	N/A	Yes-Project specific anchorage calculations as	Manufacturer's product specifications/ product literature Agent Authorization (c)	Generator Checklist	Express	Building Plan Check Environmental Health Engineering Planning Fire	

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6/13/2023

What type project are you applying for?	What type of plans will you need? (see Submittal Checklist for complete document requirements)					Which Submittal Checklist will you need to submit with your application?  Please note the first page of the Submittal Checklist must be completed and included in your submittal package.	What timeline until you receive first round plan check comment:  Express (3-5 days), Quick (7-10 days), or Standard (28 Days)	Which Departments Will Be Reviewing Your Project?  Please see note (f)	Questions to help you identify the type of review your permit will be considered:  Please note all projects are subject to reclassification upon review of the submittal depending on scope and other issues that may require a lengthier plan review.
	Plans "Drawings" (Single Combined PDF File with bookmarks)		Supporting Documents						
	Site Plan	Architectural Structural Civil Plans	Energy Forms	Structural Calculations	For Example: Cal Green, Waste Management, Manufactures Specifications Other				
					determined by scope.			Fire	
Manufactured Home on Permanent Foundation	X	X	N/A		For Permanent Foundations Cal Green Waste Management Geotechnical Report (g) Agent Authorization (c)	Manufactured Home Checklist	Quick	Building Plan Check Environmental Health Engineering Planning Fire	
Mechanical, HVAC Change outs, Water heater replacements.	N/A	N/A	N/A	X	Agent Authorization (c)		Online Permit	Issued all online	
Metal Storage Containers	X	X	Yes- If conditioned.	If applicable – dependent on design	Submittal Checklist Agent Authorization (c)	New Residential Checklist Or New Commercial Checklist	Residential = Express Commercial = Standard	Building Plan Check Environmental Health Engineering Planning Fire	1. Is there a dwelling on the property? Y=Res N=Com
Pre-manufactured Greenhouses:	X	X	Yes- If conditioned.	If applicable – dependent on design (b)	Cal Green Waste Management Geotechnical Report (d) Agent Authorization (c)	New Residential Checklist Or New Commercial Checklist	Express: Less than 600 square feet Quick: >600 sq. ft. Commercial = Standard	Building Plan Check Environmental Health Engineering Planning Fire	1. Is there a dwelling on the property? Y=Res N=Com 2. Is the structure less than 600 sq. ft.? Y=Express N=Quick
Propane Tanks:	X	N/A	N/A	N/A	Agent Authorization (c)	Propane tank checklist	Express	Building Plan Check Environmental Health Engineering Planning Fire	1. Is there a dwelling on the property? Y=Res N=Com
Re-roofs with no structural changes (for roofs with structural changes see Dwelling Alterations)	N/A	N/A	N/A	N/A	Agent Authorization (c)		Online Permit  Commercial = Quick permit and must be taken in thru submittal process	Issued all online  Commercial re-roofs require Planning approval	1. Is there a dwelling on the property? Y=Res = Express N=Com = Std (cannot be pulled online and will require submittal process)
Residential Addition	X	X	X	If applicable – dependent on design (a)	Cal Green Waste Management Geotechnical Report (g) Agent Authorization (c)	Residential Alteration and Addition Checklist	Standard	Building Plan Check Environmental Health Engineering Planning Fire	

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What type project are you applying for?	What type of plans will you need? (see Submittal Checklist for complete document requirements)					Which Submittal Checklist will you need to submit with your application?  Please note the first page of the Submittal Checklist must be completed and included in your submittal package.	What timeline until you receive first round plan check comment:  Express (3-5 days), Quick (7-10 days), or Standard (28 Days)	Which Departments Will Be Reviewing Your Project?  Please see note (f)	Questions to help you identify the type of review your permit will be considered:  Please note all projects are subject to reclassification upon review of the submittal depending on scope and other issues that may require a lengthier plan review.
	Plans "Drawings" (Single Combined PDF File with bookmarks)		Supporting Documents						
	Site Plan	Architectural Structural Civil Plans	Energy Forms	Structural Calculations	For Example: Cal Green, Waste Management, Manufactures Specifications Other				
Residential Interior Alterations:	See note (d)	X	Yes	N/A	Cal Green Waste Management Special Inspection dependent on the design Agent Authorization (c)	Residential Alteration/ Addition Checklist	Express: Does not affect any of the exterior or interior load bearing walls and does not affect 50% or more of the entire space Quick or Standard: Depending on size of scope will be determined at intake	Building Plan Check	1. Does this affect any of the exterior or interior load bearing walls? Yes = Quick or Std No=Express 2. Does this renovation affect 50% or more of the entire space? Yes = Quick or Std No = Express
Residential New Dwelling	X	X	X	If applicable – dependent on design(a)	Cal Green Waste Management Geotechnical Report (g) Special Inspection depending on the design Agent Authorization (c)	New Residential Checklist	Standard	Building Plan Check Environmental Health Engineering Planning Fire	
Residential Outdoor Fireplaces and Fire Pits: Freestanding only.	X	X	N/A	If applicable – dependent on design(a)	Cut sheets on the appliances Agent Authorization (c)	New Residential Checklist	Express	Building Plan Check EH Engineering Planning	
Retaining Walls	X	X	N/A	If applicable – dependent on design (a)	Geotechnical Report (g) Special Inspection depending on the design Agent Authorization (c)	Retaining wall Checklist	Quick: Residential retaining walls that do not support a road, structure, or part of a cave portal  Standard: Commercial or does not meet above criteria	Building Plan Check Environmental Health Engineering Planning	1. Is there a dwelling on the property? Y=Res N=Com 2. Does the wall support a road, structure, or part of a cave portal? Yes = Quick No = Express
Siding repair and replacement.	N/A	Floor plan showing location of work	N/A	Project specific	Agent Authorization (c)		Over the counter – Techs approve	Building (use workflow status No Other Review)	
Solar Systems:	X	X	N/A	If applicable – dependent on design N/A for Roof mounted Required for ground mounted	Geotechnical Report (g) for ground mount may be required based on site conditions Agent Authorization (c)	Solar/Energy Storage/Vehicle Charging Submittal Checklist	Residential: Express Commercial: Standard	Roof Mount: Building Plan Check Fire  Ground Mount: Building Plan Check Environmental Health Engineering Planning, Fire	1. Is there a dwelling on the property? Y=Res N=Com

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What type project are you applying for?	What type of plans will you need? (see Submittal Checklist for complete document requirements)					Which Submittal Checklist will you need to submit with your application?  Please note the first page of the Submittal Checklist must be completed and included in your submittal package.	What timeline until you receive first round plan check comment:  Express (3-5 days), Quick (7-10 days), or Standard (28 Days)	Which Departments Will Be Reviewing Your Project?  Please see note (f)	Questions to help you identify the type of review your permit will be considered:  Please note all projects are subject to reclassification upon review of the submittal depending on scope and other issues that may require a lengthier plan review.
	Plans "Drawings" (Single Combined PDF File with bookmarks)		Supporting Documents						
	Site Plan	Architectural Structural Civil Plans	Energy Forms	Structural Calculations	For Example: Cal Green, Waste Management, Manufactures Specifications Other				
Swimming Pools:	X	X	N/A	N/A - when already approved with Master plan, otherwise Yes	Geotechnical Report (g) Swimming Pool Safety Project Specific Special Inspection forms. Agent Authorization (c)	Swimming Pool Checklist	Express: Approved Master Plan on File Quick: Residential Commercial: Standard	Building Plan Check Environmental Health Engineering Planning Fire*	1. Is there a dwelling on the property? Y=Res N=Com 2. Do you have a master plan on file? Yes = Express No = Quick
Trellis, Gazebos, and Patio Covers:	X	X	N/A Commercial may need forms	If applicable – dependent on design(a)	Geotechnical Report (g) Agent Authorization (c)	New Residential Checklist Or New Commercial Checklist	Express: Less than 600 sq. ft. Quick: >600 sq. ft. Commercial: Standard	Building Plan Check Environmental Health Engineering Planning Fire	1. Is there a dwelling on the property? Y=Res N=Com 2. What is the square footage? >600 = Express <600= Quick
Water Tanks:	X	X	N/A	N/A - is already approved with Master plan Otherwise Yes	Geotechnical Report (g) Project specific-special inspection forms Agent Authorization (c)	New Residential Checklist Or New Commercial Checklist	Residential: Express Commercial: Standard	Building Plan Check EH Engineering Planning Fire *	1. Is there a dwelling on the property? Y=Res N=Com 2. Do you have a master plan on file? Yes = Express No = Quick or Standard 3. What is the size of the water tank? less than 10,000 gallons? = Express 10,001 – 50,000 gallons = Quick <50,000 = Standard
Window and Door Replacement with no structural alterations.	See note (d)	Floor plan detailing rooms and location of windows	Yes	Yes	<a href="#">Window Replacement Form</a> Window Schedule Agent Authorization (c)	Window Replacement Checklist	Express – Techs approve	Building (use workflow status No Other Review)	

Notes

- (a) - Yes-Unless the project meets the convention construction requirements as indicated in the CBC and/or CRC.
- (b) - Yes-Manufacturer's unit calculations are required as well as foundation engineering and calculations.
- (c) - Anyone applying for a permit other than the owner or contractor
- (d) - If projects is on the main dwelling no site plan is needed
- (e) - Structural detailing is required
- (f) - Additional routings are subject to additional reviews if you are in special districts such as Napa Sanitation, Airport, American Canyon Water, etc
- (g) - Please see [Napa County Geotechnical Report Policy](#) for requirements and exceptions

\*-if utilized for fire suppression



A Tradition of Stewardship  
A Commitment to Service

# **NAPA COUNTY GRAND JURY 2023-2024**

**March 27, 2024**

**FINAL REPORT**

## **NAPA COUNTY'S COMMUNICATION WITH ITS CITIZENS**

## **SUMMARY**

Successful two-way communication with the public is an important component of a well-functioning county government. In this current digitally dependent communication society, there is a growing expectation that local government should quickly and reliably interact with citizen needs and be a trusted source of information.

Ultimately, the long-term success of government and citizen interaction depends on developing and maintaining public participation and trust. For communications to be most successful, efforts should accommodate diverse audiences, various user devices, and update website information regularly. Effective communication with citizens should involve clear messaging that is delivered via accessible and easy to use platforms.

Over the past year there have been significant changes in Napa County's senior communication staff and their interaction with citizens. County staff are implementing measures that are designed to enhance and expand citizen outreach efforts.

The County communications leadership relies upon the Office of Emergency Services (OES) Team and CAL FIRE/Napa County Fire for emergency citizen notification regarding preparedness, response and recovery on county-wide crisis issues such as wildfires, earthquakes, and floods.

The Grand Jury investigated methods by which Napa County is communicating with its citizens. The Jury was encouraged by the County's recent efforts to enhance interaction with citizens using multiple communication venues. The Jury found that Napa County communication personnel, tools, and strategies are improving but are still evolving and would benefit from a formally articulated vision.

The Jury found that there remain important emergency alert communication deficiencies that need to be addressed. The Jury found opportunities for improvement in notifications from the Office of Emergency Services (OES) and in the communication planning function of the Chief Executive Office (CEO).

The Jury made specific recommendations for improving communication with citizens. These recommendations include improvements in the Napa County emergency alert system and the development of an annual strategic plan covering all facets of two-way communication with Napa citizens.

## **Glossary**

ADA	Americans with Disabilities Act
CEO	County Executive Office (CEO)
DPW	County Department of Public Works
EOC	Emergency Operations Center
FEMA	Federal Emergency Management Agency
ICS	Incident Command System
OES	Office of Emergency Services
PIO	Public Information Office(r)

## **BACKGROUND**

Napa County communicates with its citizens in numerous ways including websites, social media, emergency and non-emergency texts/emails, USPS mail, town hall meetings, and through local broadcast and print media. A Napa County Grand Jury Report published in 2016 reviewed the effectiveness of Napa County websites, identified some deficiencies, and made recommendations for improvement. The current Napa County Grand Jury elected to investigate the status of county government communication with citizens via its websites, as well as with two other significant communication modalities - the Office of Emergency Services (OES) and County Public Information Offices (PIO).

### Websites

An important method for communication with citizens is the county websites - online platforms created and maintained to provide information, services, and resources to the public. These websites serve as a digital gateway to government services, policies, regulations, and other various forms of engagement.

Ideally, county websites are designed to facilitate transparency, communication, and interaction between the government and the public. They aim to provide easier access to government services, information, and resources, improving citizens' ability to engage with their government.

Some specific areas that Napa County interacts with its citizens through its websites are:

- Information: Government websites provide information on government officials, policies, laws, regulations, and public services. Search features help users find specific information quickly.
- Services: The websites can offer online services such as permit applications and county staff contact information.
- News and Updates: Government websites can include news and press releases to keep the public informed.
- Forms and Documents: Users can download current forms and official documents.

County library websites provide a variety of free digital resources and multiple other community services that enhance communication with local residents. They play a crucial role in promoting literacy, education, and community engagement and can facilitate citizen interaction with other county departments.

The best websites are designed to be accessible to all citizens, including those for whom English is a second language and for those with disabilities or special needs. This means adhering to federal accessibility standards and ADA guidelines. It is important to note that the features and designs of various county department websites may differ in order to address citizen needs in various locations.

County websites can play a significant role in promoting government fiscal transparency by providing access to actions, budgets, spending, and other related information. Websites can



include feedback features, such as contact forms or chat features, to allow citizens to reach out with questions or concerns.

County websites use applications and content management systems in order to create, manage, and update web content. These websites must be updated regularly and also adhere to legal and regulatory requirements related to privacy, accessibility, and other factors. Website security is a priority in order to protect sensitive data and to ensure that user information is safe.

### Office of Emergency Services

A second system which Napa County uses to communicate with its citizens is through the Office of Emergency Services (OES) located in the Napa County Sheriff's Office. OES is responsible for coordinating and managing emergency and disaster preparedness, response, and recovery efforts at the local level as well as coordinating efforts with other agencies. This includes county emergency planning and resource management. OES has a mandate to ensure timely and accurate dissemination of urgent information to the public, emergency responders, and other county officials.

### Communications Public Information Officers

A third element in Napa County for communication and dissemination of information to the people is through the County Public Information Officers (PIO). PIOs are responsible for ensuring that information, news, and updates from their government agency are communicated to the public and media in a timely and accurate manner. This includes press releases, official statements, and certain other forms of communication. PIOs typically interact with members of the media, including local journalists and reporters. They serve as a point of contact between the government agency and the press, facilitating interviews, providing information, and organizing press conferences.

The county websites, OES and Communications PIO are Napa County's primary methods of keeping the public informed about government activities, policies, public notices and initiatives. They play an important role in maintaining transparency, accountability, and providing effective public communication with the citizenry. The Grand Jury inquired into the county's current efforts to provide information to citizens, as well as citizens' ability to effectively communicate back to the county.

## **METHODOLOGY**

The Jury reviewed county communications documents, multiple Napa County department websites and social media sites, other California county websites, county emergency alert systems, Public Information Office notices, conducted eleven in-person interviews, and attended meetings with other Napa County staff members:

- Napa County Communications Staff Organization Chart
- Review of Napa County internal communications strategic plan
- Napa County Emergency Operations Plan
- Review of national studies on effective government communication with citizens
- Review of the Guide to Citizen Engagement by Public Libraries

- Napa County Annual Report 2022
- Napa County Web data reports
- Napa County Sheriff Department Staff
- Napa Police Department
- Napa County District Attorney Office
- Napa County Board of Supervisors
- Napa County Senior Communications Staff
- Napa County Office of Emergency Services Staff
- Napa County website content staff in several departments
- Napa Valley Register articles on county communication with citizens
- Attended virtual town hall meetings
- Napa County websites
- Other California county websites
- Napa County News Releases
- Napa County Social Media Websites:
  1. Facebook.com/NapaCounty
  2. Nextdoor.com (various county sites)
  3. YouTube.com/@NapaCounty
  4. Twitter.com/CountyofNapa

## **DISCUSSION**

Meaningful two-way contact with citizens is an important component of a well-functioning local government which can lead to increased awareness of local issues, trust in government, citizen engagement, and an overall sense of partnership between citizens and their government. Effective Napa County government communication with its citizens is an ongoing process requiring strategies that continuously adapt to changing technologies and public needs.

Over the past year there have been new developments in planning for county government communications with its citizens through efforts by the Napa County Executive Office Communications Staff. Under the leadership of the new County Executive Officer (CEO), new Deputy CEO – Communications, new Communications Public Information Officer/Legislative and Policy Analyst, the County Webmaster, and the website content and information services staff embedded in various county departments, the county is attempting to enhance capabilities and outreach efforts.

In addition to standard website maintenance and updating, the county undertook initiatives to improve distribution of essential information. The county communications staff has established connections with media, specifically with the editors of the Calistoga Tribune, Yountville Sun, Napa Valley Features, Napa Valley Register, news director of KVON/KVYN Radio, and the newly assigned Napa County reporter for the Santa Rosa Press Democrat. These efforts are designed to strengthen their relationships with local media and expand opportunities for effective communication.

County staff have collaborated to host emergency preparedness resource fairs and have hosted town halls and community events focused on a variety of subjects, including county facilities development, fire/emergency preparedness, storm damage, roads updates, flood control,

underground electric power lines, road pavement projects and transportation. Napa County has commenced the first phase of an extensive facilities planning process, and states it is committed to making this process inclusive and community-driven. In order to be successful, there should be a continuing effort by the County to increase citizen participation by making the events a more family-oriented entertainment venue.

Another method in use by the County is issuing news releases, social media posts, and videos to support various county initiatives, projects, and updates. For example, staff provided information on the Accessory Dwelling Unit Forgivable Loan Program and the approval of Napa Valley Sub-basin Groundwater Sustainability Plan.

County communication staff also collaborates with the OES team and Cal Fire/Napa County Fire, working on wildfire information outreach and other emergency preparedness. This includes use of both the text messaging app “Alert Napa County” and an outreach campaign through media releases, social media initiatives, and promotional videos to enhance public safety and community preparedness.

Recognizing the diversity of citizens in the community, the county prepared a bi-weekly translation schedule for emergency communications and increased the availability of emergency services translators, assuring that critical information reaches non-English speaking populations promptly.

## **COUNTY WEBSITES**

Local government websites are now typically the first and primary source that citizens access to find information such as county staff contacts, documents, permit applications, and other government related items. Websites should be easy to navigate and search, feature commonly used services, and result in positive online experiences. The most visited websites in Napa County are: Napa County’s home page, library, animal shelter, airport, job opportunities, and Department of Corrections.

County websites need to be updated regularly, well organized, content-rich, and highly searchable. Website content should be clear using plain language to improve citizen engagement and understanding. County website design requires awareness of local citizen needs, realizing that residents are a diverse group of users including people of several demographics. The goal of government website design should be to serve all people, including those with special needs and disabilities.

County website managers create and maintain the various websites of the county and its multiple departments. Their responsibilities include:

- Website Development and Design: Designing, developing, and updating the county website to ensure it is user-friendly, accessible, and meets the needs of the community.
- Content Management: Regularly updating and maintaining content on the website, including announcements, news, events, and other relevant information.
- Technical Maintenance: Ensuring the website's technical functionality, such as monitoring and resolving issues, updating software, and implementing security measures to protect against cyber threats.




- User Support: Providing support to website users, addressing inquiries, and ensuring that online services are accessible to the public.
- Integration of Online Services: Collaborating with various county departments to integrate online services and forms, making it easier for residents to access and submit information.
- Social Media Integration: Coordinating the integration of social media channels to keep the community informed and engaged.
- Accessibility Compliance: Ensuring that the website complies with accessibility standards to make it usable for individuals with disabilities.
- Data Management: Managing data on the website, ensuring accuracy, and implementing data protection measures.
- Analytics and Reporting: Monitoring website traffic, analyzing user behavior, and providing reports to improve the site's performance and user experience.
- Collaboration with Departments: Working closely with various county departments to understand their needs and ensuring that the website reflects the county's overall goals and objectives.

Napa County was the recipient of a 2018 National Association of Government Web Professionals Pinnacle Award for website excellence. The Pinnacle Awards are an annual celebration of the best in government web communications, design, development, and innovation. These awards recognize the hard work and dedication of government web professionals who are committed to delivering exceptional digital experiences for their citizens. The Pinnacle Awards showcase excellence in several categories, including website design, mobile app development, and social media integration. Winners are selected by a panel of judges who are experts in government web development and design.

During our review of Napa County websites, the Jury found that the majority of the County's websites are well designed and functional, with notable improvement since the last Grand Jury Report on websites in 2016. The current Jury did come across a few websites with broken links and some cases of outdated information. In one case, an online permit application allowed entry of user data, but when attempting to submit, the website did not save or forward the data. The Jury found a few department websites that do not list staff contact information such as phone number or email address. A helpful feature found on some websites allows the user to contact a webmaster if a link did not work. Some websites contain a chat feature, where clicking on an icon initiates real time contact with county staff. Napa County Library's research librarians are responsible for staffing this chat feature. The Jury found that there is an opportunity to expand this feature into other county department websites.

County website designers must stay aware of how the online experience differs by user device and accommodate various user devices. Currently almost half of all traffic to county websites is on mobile devices (see below) and as more and more citizens demand on-the-go access to government services this number is expected to rise. With this in mind, Napa County needs to assure that access to websites remains mobile friendly and easily readable allowing simple navigation.

### Devices Used to Access County Websites (July- Sept 2023):

	Desktop	52.6%
	Smartphone	45.6%
	Tablet	1.5%

### NAPA COUNTY LIBRARY

The Napa Library has one of the most commonly visited websites in the county, with thousands of citizen interactions every month. The library website and its many programs provide a variety of free digital resources and many other services that enhance communication with local residents. It plays an important role in promoting literacy, education, and community engagement and facilitates citizen interaction with other county departments. Some common features and services found in the library by accessing its websites are:

- **Book Collections:** houses a diverse collection of books, including fiction, non-fiction, reference materials, and more. They often cater to various age groups and interests.
- **Digital Resources:** offers digital resources such as e-books, audiobooks, and online databases that patrons can access remotely.
- **Computer and Internet Access:** provides public computers with internet access, allowing patrons to browse the web, work on assignments, or use library-specific resources.
- **Educational Programs:** organizes educational programs and events, including workshops, lectures, book clubs, and activities for children. These programs foster learning and community engagement.
- **Reference Services:** Librarians are available to assist patrons with research, reference questions, information inquiries and technical issues.
- **Media and Audiovisual Materials:** offers a collection of DVDs, CDs, and other audiovisual materials for borrowing.
- **Meeting Spaces:** has meeting rooms that community groups or individuals can reserve for meetings, workshops, or events.
- **Children's Services:** has dedicated spaces and programs for children, including story hours, reading programs, and educational events.
- **Community Engagement:** serves as a community hub, hosting events that bring people together, such as author talks, cultural programs, and local exhibitions.
- **Interlibrary Loan Services:** if the library doesn't have a particular book or resource, it may be able to obtain it from another library through interlibrary loan services.

Napa County's libraries are community hubs that bring people together and help connect people to essential services and resources. Local governments, libraries and citizens can work together to imagine and implement initiatives in their communities, taking advantage of the library's existing role as a community anchor. Library communication with citizens is important for fostering community engagement, promoting library services, and ensuring that residents are aware of the resources and programs available to them. Free access to library technology and information databases increases digital information access for all citizens and supports the

information and communication needs of an increasingly digitally dependent information society.

## **OFFICE OF EMERGENCY SERVICES**

During an emergency, it is important for the government to communicate quickly and effectively with the public. The Napa County Office of Emergency Services (OES), located in the Napa County Sheriff's Department, is the county's primary emergency notification and services leader. OES also manages the county Emergency Operations Center (EOC). This includes responding, directing, and coordinating resources and mutual aid assets across the county to support the communities and citizens. The Federal Emergency Management Agency (FEMA) provides OES with guidance on how to communicate during an emergency, including issuing alerts and warnings, evacuation directives, and information about response status, available assistance, and other matters that impact preparedness, response, and recovery.

Napa County recently transferred OES from the County Chief Executive's Office to the Napa County Sheriff's Department. This change was made recognizing that the Sheriff is the longtime county manager of the Emergency Operations Command (EOC) group. OES has appointed a Public Information Officer in the Sheriff's Department who oversees and helps coordinate emergency messaging along with the senior county communications staff and three OES county managers for the areas of preparedness, response, and recovery.

Their mandate includes responding, directing, and coordinating resources and mutual aid assets across the area to support the communities and its citizens:

- **Emergency Planning:** Developing and maintaining comprehensive emergency and disaster response plans that outline the roles and responsibilities of various agencies, organizations, and stakeholders during emergencies.
- **Emergency Response:** Coordinating the response efforts during emergencies, including the deployment of first responders, resources, and assets to the affected area. This may involve law enforcement, fire departments, medical services, and other relevant agencies.
- **Resource Management:** Identifying and managing critical resources, such as equipment, personnel, and supplies, to ensure an effective response to emergencies and disasters.
- **Information and Communication:** Establishing communication systems that enable timely and accurate dissemination of information to the public, emergency responders, and government officials.
- **Public Awareness and Education:** Educating the public on emergency preparedness and safety measures and providing guidance on what to do during various types of emergencies.
- **Warning Systems:** Operating alert and notification systems, including sirens, text alerts, and public announcements, to warn citizens of imminent threats or disasters.
- **Coordination and Collaboration:** Collaborating with local, state, and federal agencies, as well as non-governmental organizations and volunteer groups, to ensure a coordinated and efficient response to emergencies.
- **Training and Exercises:** Conducting regular drills, training exercises, and simulations to ensure that emergency responders and agencies are well-prepared for various disaster scenarios.

- Resource Coordination: Managing the allocation of resources and mutual aid agreements, where neighboring jurisdictions support each other during emergencies when additional resources are needed.
- Recovery and Rehabilitation: Assisting in the recovery phase after a disaster, which includes helping communities rebuild, providing financial assistance to individuals and businesses, and offering mental health services to those affected.
- Grant Management: Administering and distributing federal and state grants that support emergency management and preparedness efforts.
- Vulnerability Assessments: Identifying potential hazards and assessing vulnerabilities in the community to inform planning and mitigation efforts.
- Incident Command System (ICS): Implementing the Incident Command System, a standardized management system for emergencies and disasters that facilitates coordination and communication between agencies.

The OES keeps the EOC informed of their operations and status, helping to assist and coordinate large-scale preparedness among county decision makers, first responders, and other county services, employees, and citizens. When the county is experiencing an emergency situation, the EOC may be activated. If an EOC is opened, the latest information on an emergency situation will be posted on county websites and through citizen alerts via social media, texts and emails. OES is typically not involved in low-risk incidents but concentrates on events that impact the whole community that may involve a need for evacuations and/or sheltering.

## **NIXLE AND EVERBRIDGE**

“Alert Napa County” is the county emergency notification system that sends digital messages when there is important safety information to communicate to residents. This includes situations such as severe weather, planned and unexpected road closures, missing persons, evacuations, natural disasters, and public health concerns. In the event of an emergency, public safety agencies such as Napa County Office of Emergency Services (OES), law enforcement agencies, fire agencies, city agencies and Office of Education are able to provide emergency information directly to subscribers. In order to receive these messages, citizens must enroll at the county website *Ready Napa County* (<https://readynapacounty.org>), where information is available on Everbridge, the county’s current alert notification system.

The Jury found that many citizens have found the “Alert Napa County” enrollment process to be cumbersome and confusing. This is limiting the number of citizens receiving important alerts. Additionally, many citizens do not have the ability to customize alerts that are meaningful to them.

In recent years, “Alert Napa County” has notified citizens of imminent threats using the digital alert systems Nixle and Everbridge. Last year, Napa County transitioned from Nixle to Everbridge for its citizen and emergency responder emergency notifications, using mobile phone applications, text messages, emails and social media postings during local emergencies. Fire, law enforcement, and EMS agencies may also utilize Everbridge messaging for less critical events that do not result in a need for mass notification.

Below are agencies across Napa County that have used Nixle and/or Everbridge to provide information to the public:

- Napa County Office of Emergency Services: information about extreme weather (ex: Red Flag Warnings, heat emergencies, Flash Flood Warnings, etc.), emergency events (including evacuation orders and warnings), public health and safety advisories
- Evacuation instructions are currently issued through Everbridge by the Office of Emergency Services located in the Napa County Sheriff's Office.
- Napa County Sheriff's Office: police activity, traffic accidents, road closures, and emergency information as necessary
- Napa County Public Works: utilized to communicate planned and emergency road closures

The Jury's investigation found problems with the transition to and effectiveness of the current Everbridge alert notification system. After a contract was negotiated last year, it quickly became apparent that Everbridge was not fulfilling many of the features in its contract with Napa County, resulting in some Everbridge subscribers not reliably receiving emergency notifications. It is unclear exactly how many Everbridge Emergency Alerts are being reliably received by county residents.

In some instances, unreliable receipt of emergency notices is due to issues with the performance of the Everbridge app. Residents who have signed up for the app have experienced poor performance of the app or have not received a message at all. County OES Staff indicated that the transition last year from Nixle to Everbridge resulted in loss of resident contact information contained in Nixle. According to OES staff, these issues are being addressed with Everbridge staff in an ongoing attempt to improve this emergency notification system.

## **COUNTY COMMUNICATIONS PUBLIC INFORMATION OFFICE**

Napa County has a new Communications and Public Information Officer (PIO) who is attempting to work closely with the County Executive Officer, elected officials, department heads and information services staff throughout the county to strategize, develop, and maintain the County's public information, social media and community engagement activities. The county executive office PIO has oversight for a number of county communications functions such as media relations, social marketing, public information activities and websites, emergency response and special events planning.

## **COUNTY DEPARTMENT OF PUBLIC WORKS**

The County Department of Public Works (DPW) has oversight on multiple county services: maintenance and building of roads, county facilities and property, county airport, animal shelter, storm water and creek cleaning, county waste services, and resorts. DPW relies on the County PIO and OES to distribute information to the public, including planned road maintenance, emergency road closures and other DPW oversight issues that involve residents in the county. These messages are then distributed by the County PIO primarily via social media websites, and in some instances where large numbers of residents may be involved, via text or email alert notifications including Everbridge.

Citizens can communicate their questions or concerns to DPW staff via their website, email or phone calls. Citizen complaints or concerns are then reviewed and prioritized by DPW staff.



## **EFFECTIVE COMMUNICATION STRATEGIES**

As a result of the Jury's investigations into Napa County's communication efforts, as well as examination of several other county websites and published studies on effective government communication, the Jury has identified a number of key principles and strategies for effective county government communication with citizens:

### **Clear and Accessible Information:**

- Ensure that information is easily accessible through government websites, social media, and other relevant channels.
- Use simple language to make information understandable to a wide audience.

### **Timely Updates:**

- Provide timely updates on government activities, policies, and events.
- Utilize various communication channels, such as websites, email newsletters, press releases, and social media to disseminate important information.

### **Two-Way Communication:**

- Encourage citizen feedback through various means, including digital media, surveys, public forums, and town hall meetings.
- Respond to citizen inquiries and concerns promptly and constructively.

### **Transparency:**

- Keep citizens informed by publishing reports and data on government processes, decision-making, and financial information.

### **Educational Campaigns:**

- Raise awareness about important issues, such as public health or emergency preparedness and implement campaigns to educate citizens about their rights, responsibilities, and the services available to them.

### **Customize Communication to citizen groups:**

- Tailor communication to different demographics and regions to ensure relevance and cultural sensitivity.
- Work with local community leaders and organizations to improve communication at the grassroots level.

### **Use and Update Technology:**

- Leverage digital tools and platforms for online engagement and dissemination of information.
- Implement mobile apps for citizen inquiries and service delivery.

### **Crisis Communication:**

- Have a well-defined crisis communication plan in place for emergencies and crises.
- Provide accurate, timely, and reassuring information to citizens during such situations through multiple communication modalities.

### **Collaboration with Media:**

- Foster effective relationships with the media to ensure accurate and unbiased coverage of government activities.
- Hold regular press conferences and provide press releases to inform the public through the media.

### **Public Relations and Marketing:**

- Develop public relations campaigns to promote government initiatives and successes.
- Use marketing techniques to engage citizens and raise awareness about important issues.

#### Access to Data:

- Publish current government data in open and understandable formats to encourage innovation and accountability.
- Collaborate with tech communities and organizations to develop useful applications and services.

#### Accountability and Evaluation:

- Develop metrics that monitor the effectiveness of government communication strategies for feedback and data analysis, making adjustments based on these results of evaluations and citizens' feedback.

#### Engagement in Social Media:

- Actively engage with citizens on social media platforms, promoting two-way communications with timely response to citizen questions and concerns.

#### Community Partnerships:

- Collaborate with non-governmental organizations, community groups, and civil society to enhance the reach and credibility of government messages.

#### Disabilities and Cultural Sensitivity:

- Recognize and respect the diversity of languages and cultures within the population.
- Provide information in multiple languages as needed.
- Provide access for citizens with disabilities and special needs.

In this current digitally dependent communication society, there is a growing expectation that local government should quickly and reliably interact with citizen needs and be a trusted source of information. Effective government communication with citizens should involve clear messaging that is delivered via accessible and easy to use platforms. Ultimately, the long-term success of government and citizen interaction depends on developing and maintaining public participation and trust. For communications to be most successful, efforts should accommodate diverse audiences, various user devices, and update website information regularly.

Napa County websites, the Office of Emergency Services, the Public Information Offices, and our libraries are key citizen communication entities endeavoring to keep the public well-informed about government activities, policies, initiatives, and local issues. The Jury found that these entities are playing an important role in maintaining transparency, accountability, and providing effective non-emergency communication, but there are areas in emergency notice systems that need to be improved. It is important for the County to periodically re-evaluate the effectiveness of their communication efforts and adjust strategies to stay successfully engaged with the citizenry.

## **FINDINGS**

F1. Since the 2016 Napa County Grand Jury report on county websites, the county has increased its senior communication staff, appointed a webmaster, and implemented improved methods of communicating with citizens for routine, non-emergency notifications.

F2. Napa County has made some improvements to provide timely and accurate information to citizens through enhanced website design and performance.

F3. A sizable portion of Napa County website traffic is via mobile devices. Some website content is not optimized for smaller screened mobile devices.

F4. The county has not published to citizens a county strategic plan which outlines how to facilitate the distribution, efficiency, and quality of public information.

F5. Napa County's overall communication efforts, while focused on "telling Napa County's story", is not engaging the community in a two-way conversation which could facilitate citizen engagement.

F6. Napa County lacks a formally articulated plan to continuously re-evaluate and update its communication strategies adapting to changing digital messaging technologies in order to assure that messaging remains timely, effective, and relevant.

F7. The switch from Nixle to Everbridge did not go through an RFP or similar evaluation process which has led to disruptions in citizen alert contacts that have not been satisfactorily resolved.

F8. County emergency notifications using the alert technology Everbridge are not reliably reaching all enrolled citizens, and it is unknown exactly how many residents are receiving messages.

F9. The Everbridge emergency notification mobile app for phones and other mobile digital devices is not performing reliably for citizens.

F10. The enrollment process for Everbridge is cumbersome and not well understood by the citizenry.

F11. Everbridge has not fulfilled all of its contractual obligations with Napa County.

F12. Napa County's staff have improved measures to facilitate communication with citizen's diverse languages and for those having disabilities or special needs.

## **RECOMMENDATIONS**

R1. By December 31, 2024, the Board of Supervisors direct county communications staff to annually implement and publish to county residents an updated strategic communication plan that results in timely and efficient two-way messaging with the public through digital, print, and broadcast media.

R2. By September 30, 2024, the Board of Supervisors direct county senior communications staff to meet with all county department heads to assess their communication needs so that they can message effectively and consistently with their target audiences.

R3. By September 30, 2024, the Board of Supervisors direct county department communications staff to create a monthly review of county social media accounts, websites, and other digital communication channels to assure that information stays current.

R4. By September 30, 2024, the Napa County Sheriff direct their communication staff to create a monthly review of their social media accounts, websites, and other digital communication channels to assure that information stays current.

R5. By December 31, 2024, the Board of Supervisors require all county and department websites to offer a live chat feature on each county department website to help citizens get quick answers to their questions and facilitate timely assistance.

R6. By December 31, 2024, the Board of Supervisors direct county communications staff to develop and make public the metrics and analytics which monitor county efforts to evaluate effective two-way communication strategies with citizens.

R7. By December 31, 2024, the Board of Supervisors have county communications staff ensure that county initiatives and programs are available to all of our citizens, including those who speak languages other than English and those with special needs or disabilities.

R8. By December 31, 2024, the Board of Supervisors establish a Napa County Communications Citizen Advisory Board with the goal of providing community input into Napa County communication priorities.

R9. By December 31, 2024, the Sheriff's Department OES prepare and execute updated plans to fix deficiencies in alert notification measures ensuring that accurate and timely emergency information is disseminated to the public and media when needed. This may require assessing alternative emergency notification system providers to resolve ongoing Everbridge deficiencies.

R10. By September 30, 2024, the Sheriff's Department OES collaborate with Napa County communication staff to address problems with the "Alert Napa County" citizen enrollment process including increased awareness of how to enroll, streamline the enrollment process, and improve citizen's ability to manage their own alert notification preferences.

### **Request for Responses**

Board of Supervisors: R1, R2, R3, R5, R6, R7, R8

Napa County Sheriff: R4, R9, R10

### **Invited Responses**

County Executive Officer: R1, R2, R3, R5, R6, R7, R8

Reports issued by the Grand Jury do not identify individuals interviewed. Penal Code section 929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Grand Jury.



A Tradition of Stewardship  
A Commitment to Service

# **NAPA COUNTY GRAND JURY 2023-2024**

**April 10, 2024**

## **FINAL REPORT**

**SKYLINE ACADEMY AT JUVENILE HALL  
DELAY AND DISORGANIZATION**

## **SUMMARY**

As required by California Penal Code Sec. 919 (b), the Jury performed its annual review of the Napa County Juvenile Hall (NCJH). After conducting interviews with directors and staff at NCJH, the Jury found that previous challenges continue to exist. Staffing shortages, an underutilized facility, and irregular development of a camp program are issues that have been highlighted in previous Grand Jury reviews.

The 2023-2024 Jury's primary concern is the delayed development of Skyline Academy. Despite approval in 2020, there has been little progress towards opening. Repeated requests for a detailed project plan and progress reports by the Jury were not fulfilled. Two tours of the facility months apart revealed that few of the planned changes to the physical space have been implemented. One room had been remodeled for use as an office.

By the conclusion of its investigation, the Jury was not able to determine if a formal project plan for the formation of the Skyline Academy camp program is being followed or even exists or, if there is any measure or documentation of progress.

Additionally, the Jury found little ownership of who is charged with making progress towards opening Skyline Academy. Without the appointment of a dedicated project manager this endeavor has little chance of success.

## **BACKGROUND**

California Penal Code Sec. 919 (b) mandates a yearly inquiry into the management and conditions of all detention facilities in the County. Napa County Juvenile Hall (NCJH) qualifies as one of the two detention facilities in Napa County. It is administered by the Napa County Probation Department under the direction of the Chief Probation Officer and managed by a Superintendent and Assistant Superintendent.

Under Senate Bill 823, signed into law September 30, 2020 and effective July 1, 2021, all juvenile justice responsibilities were realigned from the State to the County. SB 823 initiated the closure of juvenile detention facilities at the state level and transferred custody of juvenile offenders to local counties throughout the State of California. The age level of jurisdiction for youth was raised to 21, 23, or 25, depending upon the offense.

The past several years have seen a reduction in the number of youth in Juvenile Hall due to the recent change in state policy of not incarcerating most juvenile offenders. While the Napa Juvenile Hall was designed to accommodate up to 60 youth detainees, the average daily population has been much below that for several years. In the past few years, the average daily population has ranged from 10 to 15.

Currently, the Juvenile Hall is divided into two wings. The Prospect Wing, used for short-term incarcerated youth and a second wing currently being converted to a camp program. Following lifting of covid restrictions, normal operations have been resumed.

A camp program is intended to provide services to youth in detention while allowing them to remain locally connected to families and community. On January 14, 2020, the New Horizons camp was approved by the Board of Supervisors as an alternative to sending local youth to Short Term Residential Treatment Programs outside the county. On January 27, 2020, the Napa County Chief Probation Officer signed a request to the Board of State and Community Corrections for approval of a camp allocation for the fiscal year. Documents provided to the Jury contain inconsistent past start-dates for New Horizons. By July 2022, New Horizons had been suspended due to Covid restrictions and a low population in Juvenile Hall.

Using the already approved New Horizons grant funds, plans were initiated to develop a new camp program in Juvenile Hall. The new camp, renamed Skyline Academy, was slated to open by the end of 2023. On its visit on January 29, 2024, the Jury found that only one room had been remodeled into a future office. Jury members were told that the camp might be opened by July 2024.

## **METHODOLOGY**

For purposes of this report, the Grand Jury completed the following:

- Tour of entire Juvenile Hall
- Second tour of Camp Area of Juvenile Hall
- Interviews with Juvenile Hall Administrators
- Review of previous Napa County Grand Jury Reports from 2014 to 2023 ● Review of Board of State & Community Corrections May 23, 2023 Inspection Report ● Review of Contract with B.I. Correctional Services, Inc, approved by Board of Supervisors on February 26, 2024
- Review of Juvenile Justice Coordinating Council Meeting Minutes from September 20, 2023
- Review of Informational pamphlet for Skyline Academy
- Review of Board of Supervisors Approval for New Horizons January 14, 2020
- Review of Napa County Juvenile Justice Plan (2023-2024)
- Napa County Website, <https://www.countyofnapa.org/bids.aspx?bidID=373>

## **DISCUSSION**

The 2023-24 Napa County Grand Jury reviewed the upcoming Skyline Academy camp program as part of its annual mandate to assess the management and conditions of the Juvenile Hall.

Between October 2023 and February 2024, four interviews with representatives from Juvenile Hall and Probation were conducted and two on-site visits to the facility occurred. Skyline Academy was scheduled to open at the end of 2023. The Jury found no significant progress on the allocated space between site visits in October 2023 and January 2024. One room had been remodeled with intended use as a future office, and a pamphlet had been created.

Repeated inquiries, both email and telephonic, requesting specific documentation of current activity yielded minimal information. This lack of concern or willingness to provide verified evidence of progress or a working project plan is documented in the Methodology section and demonstrated in the chart below.

The Jury did receive documentation detailing the 2020 approval of the County ordinance for the original (now defunct) juvenile camp program New Horizons. On March 15, 2024, the Jury also received a two-page general spreadsheet budget for Skyline Academy. The information provided in this document did not include a complete record of budget spending, current allocations, or record of monies spent to date.

The Jury found a Request for Proposal (PRO102501) on the County website regarding the current camp Skyline Academy. The RFP describes the camp's purpose and function and asks approval to retain a Juvenile Treatment Provider to furnish the programming. On February 26, 2024, the Board of Supervisors approved a contract with B.I. Correctional Services, Inc. for the time period from March 1, 2024 to June 30, 2026 as the service provider.

Essentially, the Jury was unable to ascertain if a formal project plan for the creation of the Camp is being followed or even exists. The Jury was given no documentation of progress. From the Jury's perspective, the County would greatly benefit by more effective project management.



Record of requests for documentation includes, but is not limited to:

<b>Date</b>	<b>Correspondence</b>	<b>Response</b>
12/15/2023	Email to follow up on 11/29/23 Interview where it was agreed the Jury would be supplied with a formal project plan, progress, and the procedures being followed in the creation of the Camp. An additional request was made for any architectural drawings or renderings of the future Camp space	No Response
01/02/2024	Follow up to above email with same request	Out of office, return 07/24/2023, referred to another administrator
01/02/2024  01/08/2024	Email seeking documents listed above and included specific requests for documents verifying the funding grant, project plan, and timeline.  Email seeking documents listed above and included specific requests for documents verifying the funding grant, project plan, and timeline.	01/03/2024 email response saying will comply, but no doc received; 01/05/2024 email with long discussion but no docs  1/9/2024 email, no docs, copy of another dept. email

01/12/2024	Email requesting documents on the original plan for the Camp describing its mission, any information on its evolution, and again requesting information on funding.	01/17/24 email response, no docs
03/04/2024	Email requesting expenses for construction, RFP cost for services to be rendered, relevant financial information, and documentation of expenses already allocated.	03/05/2024 email, will get it together, will be out of town for a week
03/07/2024	Email requesting final report from Shared Visions.	Response saying no report exists
03/09/2024	Email requesting previously promised CAD drawings of the facility plan.	No Response
03/12/2024	Second request asking for multiple docs that were requested at a prior interview.	Email response, docs will be available by end of week; two docs were received.

## FINDINGS

F1. Although Skyline Academy was scheduled to open at the end of 2023, the Jury’s investigation detected limited organized effort toward the opening, no urgency, and minimal forward progress.

F2. Repeated requests for details on the development of Skyline Academy went unmet, leading the Jury to conclude that no formal project plan is being implemented.

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F3. The Jury found that normal operations in the Prospect wing of Juvenile Hall (which houses short-term youth) have been resumed following the suspension of Covid restrictions.

## RECOMMENDATIONS

R1. By October 1, 2024, the Board of Supervisors direct the Napa County Probation Officer to develop and implement a detailed project plan for the Skyline Academy. The plan should formalize the project scope, be updated monthly, and provide a timeline, steps toward completion, assigned tasks, progress towards goals, available resources, and a budget.

R2. By October 1, 2024, the Board of Supervisors direct the Napa County Probation Officer to identify a project manager to be accountable for the timely and successful completion of Skyline

Academy.

## **REQUEST FOR RESPONSE**

Board of Supervisors-R1, R2

Napa County Probation Officer-R1, R2

Superintendent of Juvenile Hall-R1, R2

Assistant Superintendent of Juvenile Hall-R1, R2

Reports issued by the Grand Jury do not identify individuals interviewed. Penal Code section 929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Grand Jury.



A Tradition of Stewardship  
A Commitment to Service

# **NAPA COUNTY GRAND JURY 2023-2024**

**April 10, 2024**

**PROGRESS IN ACTION  
NAPA COUNTY'S NEW JAIL**

California penal code Section 919 (b) mandates a yearly inquiry into the management and conditions of all detention facilities in the county. The 2023-2024 Napa County Grand Jury conducted a physical inspection of the Napa County Jail (the Current Jail) and the Napa County Jail which is under construction (the New Jail). The Jury met with and interviewed administration staff. The Jury reviewed previous Napa County Grand Jury reports on the Current Jail as well as the yearly state inspection reports. The Current jail continues to operate while waiting for the completion of the New Jail.

Some services and programs that were available to incarcerated individuals prior to Covid restrictions have been reinstated and some will not be available until the New Jail is opened. Therefore, the Jury decided to complete this informational status report rather than engage in a full investigation.



# 2023-2024 Napa County Grand Jury



Continuity Report  
February 23, 2024

# Review of Responses to the 2022-2023 Grand Jury Reports

## SUMMARY

California Penal Code Section 933 requires elected officials or agency heads to respond within 60 days of the issuance of a Grand Jury report that requires their response and requires governing bodies to respond within 90 days. Section 933.05 specifies the way the responding parties are to make their responses. The responses are transmitted to the presiding judge of the superior court.

The response to a *Finding* must be provided in one of the two following formats:

1. The respondent agrees with the finding.
2. The respondent disagrees wholly or partially with the finding in which case the response shall specify the portion of the finding that is disputed and shall include an explanation for the reason therefore.

The response to a *Recommendation* must be provided in one of the following four formats.

1. The recommendation has been implemented, with a summary regarding the implemented action.
2. The recommendation has not yet been implemented, but will be implemented in the future with a timeframe for implementation.
3. The recommendation requires further analysis with an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or head of the agency or public agency when applicable. This timeframe shall not exceed six months from the date of publication of the grand jury report.
4. The recommendation shall not be implemented because it is not warranted or is not reasonable, with an explanation therefore.

The 2022-2023 Napa County Grand Jury issued its Consolidated Report on June 30, 2023. The report consisted of 6 individual final reports.

## METHODOLOGY

The 2023-2024 Grand Jury evaluated responses to the 2022-2023 Grand Jury's recommendations to ensure compliance with Sections 933 and 933.05 using the statutory criteria.

933(c) Were responses by the presiding judge within the legal time limits from the date of each final report's release (90 days for a public agency and 60 days for an elected official)?

933.05(a) Did the response to a finding satisfy the requirement of Section 933.05?

1. The respondent agrees with the finding; or
2. The respondent disagrees wholly or partially with the finding in which case the respondent shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefore.

933.05 (b) Did the response to a recommendation satisfy the requirement of Section 933.05(b)?

1. The recommendation has been implemented, with a summary regarding the implementation and action; or the recommendation has not yet been implemented but will be implemented in the future, with a timeframe for implementation; or
2. The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study and a timeframe for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of the publication of the grand jury report; or
3. The recommendation will not be implemented because it is not warranted or it is not reasonable, with an explanation thereof.

## DISCUSSION

### **Timelines Review of Responses 2022-2023 Publishing and Due Dates**

Details of the 2022-2023 publishing dates and responses by due dates are shown below.

- *Napa County Volunteer Firefighters Lack of Volunteers and Their Utilization Are Burning Issues*. Published April 26, 2023. Responses required from the Board of Supervisors, the Napa County Fire Chief and the Napa County Deputy Fire Chief. All responses received within the required timeline.
- *Napa County Jail Out With The Old In With The New Serving Time In The Meantime*. Published April 26, 2023. Responses required from the Director of the Department of Corrections and the Board of Supervisors. All responses received within the required timeline.
- *Napa County Juvenile Hall Compliance & Implementation Report 2022-2023 Grand Jury Report on Compliance & Implementation of Grand Jury Report Findings and Recommendations and Responses 2019-2020 "Napa County Juvenile Hall Exceptional Cost"*. Published June 21, 2023. Required responses from the Board of Supervisors. Invited responses from the Napa County Probation Officer and Superintendent of Napa County Juvenile Hall. All responses received within the required timeline.



- *Information Technology Services in Napa County*. Published June 21, 2023. Responses required from Board of Supervisors. Invited Responses from the Chief Information Officer and the Chief Operations Officer. All responses received within the required timeline.
- *Mental Health Crises Services in Napa County*. Published June 21, 2023. Required responses from the Board of Supervisors and Director of HHS. All responses received within the required timeline.
- *Napa County Groundwater Management*. Published June 21, 2023. Required response from Board of Supervisors and Napa County Planning, Building, and Environmental Services. Invited response from Napa County Resource Conservation District. All responses received within the required timeline.

#### **ACKNOWLEDGEMENT OF APPRECIATION:**

The 2023-2024 Grand Jury would like to thank all responders to the 2022-2023 Grand Jury's findings and recommendations for their consideration and providing their responses in such a timely manner. This has allowed the current report to be completed and made available to the community and all interested parties without delay.

**Disclaimer:** The 2023-2024 Grand Jury has made a collective effort to edit original selected text in both the 2022-2023 Grand Jury reports as well as the responses from county offices with the sole intention of increased readability (e.g., formatting and spelling errors). Any edits were carefully reviewed by the Grand Jury to ensure the content and message of the text was maintained.

## **Napa County Volunteer Firefighters Lack Of Volunteers And Their Utilization Are Burning Issues**

### **FINDINGS**

**Finding 1:** The current structure of the volunteer monthly stipend does not reward the volunteers who respond to multiple calls.

*The Board of Supervisors agrees with this finding.*

**Finding 2:** The operational model of how volunteers are used in support of the Napa County Fire Department is ineffective because it does not hold volunteers accountable for not responding to emergency calls.

*The Napa County Fire Unit Chief and Deputy Fire Chief agree with this finding.*

*The Board of Supervisors agrees with this finding.*

**Finding 3:** The low response rate from the Soda Canyon Volunteer Fire Station compromises its effectiveness to provide reliable fire protective service.

*The Board of Supervisors agrees with this finding.*

**Finding 4:** Napa County does not have a dedicated web page or program for the purpose of recruiting new volunteers from a broader group of potential applicants.

*The Napa County Fire Unit Chief and Deputy Fire Chief agree with this finding.*

*The Board of Supervisors agrees with this finding.*

**Finding 5:** The Board of Supervisors representative for the Fire Service Advisory Committee has not changed in four years, creating a lack of representation from all five Supervisory Districts.

*The Napa County Board of Supervisors agrees with the finding that the FSAC representative has not changed in four years; however, the Board disagrees with the statement that all supervisory districts' perspectives are not heard within the committee.*

**Finding 6:** The selection process and criteria for the position of Volunteer Fire Chief is not standardized under state-mandated industrial guidelines.

*The Napa County Unit Chief and Deputy Fire Chief agree with this finding.*

*The Board of Supervisors agrees with this finding.*

**Finding 7:** The volunteers do not have a liaison officer to act as a spokesperson between them and the Napa County Fire Department, resulting in miscommunication and misunderstandings between both groups.

***The Napa County Board of Supervisors agrees with the finding that there is not a liaison. However, the Fire Services Advisory Committee provides a more direct and effective method of communication between the volunteer firefighters and the Napa County Fire Department.***

**Finding 8:** The volunteer firefighters have morale problems resulting from a perceived lack of appreciation by the Board of Supervisors and the Napa County Fire Department.

***The Napa County Fire Unit Chief and Deputy Fire Chief agree with this finding that there are morale problems resulting from perceived lack of appreciation. Although both the Board of Supervisors and the Napa County Fire Department regularly demonstrate that they highly value the volunteer firefighters, staff will continue to explore other avenues to improve morale such as public recognition. Staff believes that issues related to morale reflect the ineffectiveness of the current volunteer firefighter model, which will be addressed once the model has been updated.***

**The Board of Supervisors agrees with this finding.**

## **RECOMMENDATIONS**

**Recommendation 1:** By December 1, 2023, the Board of Supervisors develop a plan that calls for the volunteer's monthly stipend to be replaced with a Paid Per Call system.

***Board of Supervisors Response: The recommendation has not yet been implemented. This recommendation is currently being reviewed by staff to implement a new pay-per-call system in the fiscal year beginning July 1, 2024. This new pay-per-call system will have potential fiscal and labor implications. The Napa County Human Resources Department is exploring the model which other counties have adopted and will return with the recommended best fit for Napa County Fire.***

**Recommendation 2:** By December 1, 2023, the Board of Supervisors establish a committee of volunteer firefighters, paid staff from the Napa County Fire Department, and members of the community to develop a new operational model that places more emphasis in responding to larger fires in a surge capacity. The new model would classify the volunteers as reserve firefighters.

***Napa County Fire Unit Chief and Deputy Fire Chief Response: This recommendation requires further analysis. This analysis will need to determine the best model for the volunteers (such as reserve vs. paid call firefighters). Furthermore, the structure of the volunteer companies will have to be addressed to ensure that the function of the volunteer companies and equipment is used in an effective and coordinated matter. This process will take several months to complete. The Board of Supervisors is also examining this issue as part of the recently presented Long Range Master Plan.***

***Board of Supervisor Response: The Board of Supervisors agrees with the Napa County Fire Unit Chief and Deputy Fire Chief.***

**Recommendation 3:** By December 1, 2023, the Board of Supervisors authorizes the Napa County Fire Department to relocate and consolidate the volunteers assigned to the Soda Canyon Volunteer Fire Station to the Napa County Fire Department's paid fire station #25 on Monticello Road. The relocation and consolidation include moving the remaining fire apparatus equipment from the Soda Canyon Volunteer Fire Station to the paid station #25.

***Board of Supervisors Response: The recommendation has not yet been implemented; The move will require logistics and coordination with Napa County Fire and volunteers assigned to the Soda Canyon Volunteer Fire Station. This consolidation will use equipment and volunteer firefighter time better and serve the community better. Much of the equipment of the Soda Canyon Volunteer Fire Station is already located at Fire Station 25 on Monticello Road. Implementing this recommendation will ensure that volunteers will respond from a station that is more centrally located, allowing for a more efficient and expedited response. This recommendation will be implemented by July 1, 2024.***

**Recommendation 4:** By December 1, 2023, the Napa County Deputy Fire Chief, in conjunction with the Volunteer Fire Chiefs, establish a County-wide dedicated web page for the purpose of providing information to the public about the volunteer firefighter program in Napa County. The information must include a mission statement, the minimum requirements to become a volunteer firefighter, and the level of training necessary to meet state-mandated fire and safety regulations.

***Napa County Unit Chief and Deputy Fire Chief Response: The recommendation has not yet been implemented. Napa County Fire, with the support of the Information Technology Services Department and the County Executive Officer, will establish a web page that serves this purpose by January 1, 2024. Staff will continue to explore other potential recruitment efforts such as advertising through social media, community events or expanding the Firefighter Explorer program.***

***Board of Supervisors Response: The Board of Supervisors agrees with the Napa County Fire Unit Chief and Deputy Fire Chief.***

**Recommendation 5:** By September 30, 2023, the Board of Supervisors representative to the Fire Services Advisory Committee will be appointed on a yearly cycle with each supervisor serving on a rotating basis.

***Board of Supervisors Response: This recommendation has not yet been implemented. The Board of Supervisors selects committee representatives each year in January based on interest and availability. This recommendation will be considered in January 2024, instead of September 2023.***

**Recommendation 6:** By December 1, 2023, the Napa County Deputy Fire Chief adopt and enforce the selection criteria for the position of Volunteer Fire Chief that follows state-mandated guidelines.

***Napa County Unit Chief and Deputy Fire Chief Response: This recommendation has not yet been implemented.*** Candidates for the Volunteer Fire Chief position must adhere to training requirements outlined in the 4001-training manual, which includes previous positions such as Firefighter, Fire Apparatus Operator, Company Officer, and Fire Captain. An application process followed by an interview will be conducted to select the right candidate.

***Board of Supervisors Response: The Board of Supervisors agrees with the Napa County Fire Unit Chief and Deputy Fire Chief.***

**Recommendation 7:** By December 1, 2023, the Board of Supervisors reinstate the volunteer liaison position with a retired firefighter.

***Board of Supervisors Response: This recommendation has not yet been implemented.*** Napa County is hiring a Fire Administrator which will not be part of CalFire but will help support the volunteers. This Fire Administrator will be responsible for fire mitigation, contracts and supporting the volunteers. Additionally, the new CalFire Cooperative Agreement provides for county funded Battalion Chiefs which will be dedicated to the volunteers as part of their administrative oversight duties. The goals of this recommendation, to better support and coordinate with volunteers will be implemented by December 1, 2023, without the volunteer liaison position. These positions provide more staff than the volunteer liaison and will be able to provide better support to the volunteers.

**Recommendation 8:** By December 1, 2023, the Board of Supervisors and the Napa County Deputy Fire Chief coordinate with the local media to publish a feature article for the general public highlighting the successes of the volunteer program.

***Napa County Unit Chief and Deputy Fire Chief Response: This recommendation has not yet been implemented.*** The Napa County Fire Department with the support of the County Executive Office will work with local media to feature the value of the volunteer firefighter program by December 1, 2023.

***Board of Supervisors Response: The Board of Supervisors agrees with the Napa County Fire Unit Chief and Deputy Fire Chief.***

**Napa County Jail, Out With the Old, In With the New  
Serving Time In the Meantime**

The 2022-2023 Napa County Grand Jury requested responses from the Napa County Department of Corrections (NCDC) for each of the Findings below.

**FINDINGS**

**Finding 1:** The Napa County Jail lacks adequate programming, especially for long term incarcerated persons. Now that the Covid-19 State of Emergency has been lifted (March 2023), it is not reasonable to wait for the new jail to provide broader programs for incarcerated persons

***Director of Corrections Response: The Director of Corrections partially agrees with this finding.** During the pandemic all in custody programs were suspended temporarily. In-custody social program providers are being allowed back on-site to facilitate programs. Since the Covid-19 State of Emergency was lifted, NCDC has worked to revamp its policies regarding program volunteers. As of May 15, 2023, NCDC has finalized its policy to reimplement volunteer program providers to return to NCDC. Volunteer programs include but are not limited to: Alcoholics Anonymous, Narcotics Anonymous, and religious providers.*

***The Board of Supervisors agrees with the Director of Corrections.***

**Finding 2:** Women are not offered equitable work opportunities at the Napa County Jail.

***Director. of Corrections Response: The Director of Corrections disagrees with this finding.** NCDC provides work opportunities to qualifying sentenced female inmates in the form of janitorial work in the booking area. This work location is in proximity to their housing unit (a consideration taken for safety & security reasons). The number of sentenced female inmates in the jail population who qualify for work opportunities changes daily and not all sentenced females are eligible for work as some have special housing classifications (due to behavioral issues or their safety needs) that disqualify them from work privileges. It is CDC's policy that only sentenced inmates being housed in qualifying classified housing units be given the opportunity to pursue work privileges.*

**Finding 3:** The Re-entry facility is not currently used and is likely not going to be used for its intended purposes.

***Board of Supervisors Response: The Board of Supervisors agrees with the finding. The board is working with legislative leaders and the Governor's Office to explore alternative uses that better fit the needs of the community.***

## **RECOMMENDATIONS**

The 2022-2023 Napa County Grand Jury requested responses from Napa County Department of Corrections (NCDC) for each of the Recommendations below.

**Recommendations 1:** The Napa County Grand Jury recommends that the Director of Corrections increase programs for IPs by December 31, 2023. If the space constraints are a limitation, the jury recommends NCI increase online programs.

***Director of Corrections Response: This recommendation has been implemented. NCDC has collaborated with the Napa County Library to expand programming to include a literacy program available to all interested incarcerated Persons (IPs). Tutors from the Napa County Library work with IPs to determine their literacy skills. Tutors are additionally available to work with IPs to work towards obtaining their High School Equivalency (HSE) Test. Tutors from the library meet with participants weekly. Online programs are not an option within NCDC as wireless internet capabilities are limited within the facility.***

***The Board of Supervisors agrees with the Director of Corrections.***

**Recommendation 2:** The Napa county Grand Jury recommends that the Director of Corrections implement work opportunities for women by December 31, 2023.

***Director of Corrections Response: This recommendation has been implemented. Work assignments are based on sentencing status and housing locations to minimize the flow of contraband throughout the facility. NCDC does not have combined (male and female) housing, nor do we allow combined work assignments. Therefore, the work opportunities available to incarcerated females depends on their being sentenced and housed in the general population dorm of the jail. Currently, the only location that females can safely work is in the booking area adjacent to their housing dorm where they can provide janitorial services.***

*NCDC continues to consider and pursue work opportunities for all qualified inmates. However, the consistently low number of eligible female IPs and current configuration of the jail, coupled with security concerns and the jail's policies on keeping male and female populations separate, prevent the participation of female IPs in other existing work opportunities. Female IPs are given work opportunities that are consistent with their sentencing and their housing locations.*

*The Board of Supervisors agrees with the Director of Corrections.*

**Recommendation 3:** The Napa County Grand jury recommends that the Board of Supervisors continue to work diligently with the State to find and implement a long-term solution for the use of the re-entry facility and provide quarterly updates to the public until a long-term solution is implemented.

*Board of Supervisors Response: The recommendation has been Implemented. The Board and County staff continue to work with the State on a long-term solution for the re-entry facility. The Board will provide regular updates to the public on the re-entry facility's long-term plan once the county fully owns the facility.*

### **COMMENDATIONS:**

**Commendation 1:** The Napa County Grand Jury commends the NCJ for managing the Covid-19 pandemic with innovative solutions to keep the outbreaks at a minimum.

## **Response to Grand Jury Final Report on Napa County Juvenile Hall**

### **FINDINGS**

**Finding 1:** The overall staffing for NCJH has been reduced by 14% rather than 25%. The NCJH has based its staffing levels on Title 15 requirements and other factors and anticipates increasing staff.

*The Chief Probation Officer agrees with this finding. Staffing continues to be driven by Title 15 requirements, safety, and programmatic needs within the facility. The staffing percentage fluctuates with staff retirements and departures. The hiring process can take many months to onboard new staff which requires advanced planning. The Juvenile Hall anticipates opening a new camp program in January 2024 which requires vacant positions to be filled to provide intensive services to youth.*

*The Board of Supervisors agrees with the Chief Probation Officer.*

**Finding 2:** The New Horizons Academy program has been discontinued and a new camp program is in development.

*The Chief Probation Officer agrees with this finding. The new camp program is slated to open by January 2024 with the goal of keeping most youth in our community close to their family in lieu of placing them in programs out of the county.*



***The Board of Supervisors agrees with the Chief Probation Officer.***

**Finding 3:** The Shared Vision consulting firm is currently identifying resources for youths in Napa County and plans to report back with specific recommendations for program development for NCJH. The survey should include measures for program efficacy and evaluation.

***The Chief Probation Officer partially agrees with this finding.*** *The Department has contracted with Shared Vision Consulting and is in the process of identifying community programs and resources to further enhance programming and connections for youth including leveraging current resources and funding opportunities. However, Shared Vision Consultants has not been contracted to perform program efficacy and evaluation. This will be completed by the Department in the future outside of the Shared Vision Consulting contract.*

***The Board of Supervisors agrees with the Chief Probation Officer.***

**Finding 4:** The NCJH is in discussions with the Napa County Library to increase reading resources and services in the NCJH library for the youth.

***The Chief Probation Officer agrees with this finding.*** *The Napa County Juvenile Hall, the Napa County Office of Education, and the Napa County Library are committed to continuing to enhance accessible reading materials to youth in Juvenile Hall. We are working together to identify services and equipment to create more opportunities for the youth to grow and learn. The library has offered to bring in new reading materials for all reading levels with enhanced access to assistive technology including audiobooks to increase accessibility to youth with different learning abilities. Additionally, the library has assisted the Juvenile Hall to increase study space for youth, specifically to attend community college classes in the facility.*

***The Board of Supervisors agrees with the Chief Probation Officer.***

**COMMENDATIONS:**

*The Napa County Probation Department appreciates the Grand Jury's recognition of the hard work of County staff to ensure youth and staff were safe in the Juvenile Hall throughout the Covid-19 pandemic.*

## Information Technology Services in Napa County

### **INTRODUCTION**

*The “Information Technology Services in Napa County” final investigative report (Report) of the 2022- 2023 Napa County Civil Grand Jury presents five (5) findings, five (5) recommendations and one (1) commendation related to ITS in Napa County. This letter represents the responses of the Napa County Board of Supervisors and County Executive Officer (CEO) and Chief Information Officer (CIO), pursuant to California Penal Code Section 933.05.*

*Napa County Board of Supervisors and County Executive Officer would like to thank the Grand Jury for their work, and for the opportunity to respond to the findings and recommendations in the final investigative report.*

### **FINDINGS**

**Finding 1.** Napa County has insufficient network bandwidth for the increasing use of video conferencing, document imaging, and large file management.

***The CIO and CEO agree with this finding.** With the County's move to increased online access and to provide more digital services, data and video content has increased and will continue to increase into the future. ITS is assisting County departments to provide digital access and services, and ITS considers network bandwidth needs when moving to digital government. This includes monitoring network bandwidth and increasing bandwidth as limits (usage exceeding 70%) are reached for the entire County. There are other aspects that contribute to insufficient bandwidth, which ITS cannot control. These include remote offices in locations where provided internet services are underserved by the internet services providers, telework situations where personal home internet services are not sufficient, and certain cloud-based applications that can slow down during peak hours of usage. ITS will commit to reviewing network utilization data for the previous 30 days to identify possible network saturation.*

***The Board of Supervisors agrees with this finding, and with the CEO and CIO.***

**Finding 2.** In at least one instance a County developed application took longer to implement and was more difficult to maintain than a packaged application.

***The CIO and CEO agree partially with this finding.** In the past ITS built custom applications for departments because there were limited vendor solutions available that fit department needs. This has changed greatly over the years and ITS has moved away from creating and maintaining custom built applications.*

*For example:*

- *ITS replaced an in-house website content management system with a vendor-based website content management system.*

- *ITS replaced an in-house ticketing system with a vendor-based solution.*
- *ITS replaced an in-house agenda management system with a vendor-based solution.*
- *ITS retired 11% of in-house electronic forms (e-Forms) used for financial and Human Resource requests and approvals with e-Form functionality in the County's new Enterprise Resource Planning system.*

*ITS continues to look for opportunities to replace custom-built applications with vendor applications, with a preference for cloud-based solutions, when making major upgrades in-house applications. Vendor cloud-based solutions are preferable over vendor solutions installed in our internal servers because supporting technical infrastructure for cloud applications are managed by the vendor, not ITS.*

*If a vendor solution is not available to meet the needs of departments, ITS will still need to consider a custom-build approach. Consideration factors will include the cost to build the solution and the cost of annual support. Annual support costs include application support staff, system support staff and related hardware and software tools licensing and maintenance.*

*With regards to the comment [that in one instance a] county application (CJNet) took longer to implement and is difficult to maintain, there were no vendor solutions available that fulfilled criminal justice department needs. Part of the implementation included improvements to business practices, which added more time to the overall project. In addition, these departments do not want to migrate off this platform currently.*

***The Board of Supervisors agrees with the CEO.***

**Finding 3.** Multiple departments would benefit from a common data management system as part of the County infrastructure.

***The CIO and CEO agree with this finding.***

***The Board of Supervisors agrees with the CEO.***

**Finding 4.** The County's focus on annual and department-level budgeting makes planning and adoption of longer term infrastructure and application development projects more difficult.

***The CIO and CEO agree with this finding.*** *Working with the CEO and Auditor-Controller's office, ITS will use functionality in the new financial system to budget for and track multi-year infrastructure and application projects, beginning in the 2023-2024 fiscal year.*

***The Board of Supervisors agrees with the CEO.***

**Findings 5.** There is not a comprehensive County-wide strategy on IT infrastructure and applications.

*The CIO and CEO agree with this finding. This finding will be addressed either through a County-wide strategic plan or the ITS strategic plan as discussed in Recommendation 1 and Recommendation 2.*

*The Board of Supervisors agrees with the CEO.*

## **RECOMMENDATIONS**

**Recommendation 1:** By June 1, 2024, the Napa County CEO articulates a vision for digital government that facilitates cross department collaboration, community engagement and enhances government productivity.

*Chief information Officer and County Executive Officer: The recommendation requires further analysis. The CEO and ITS will need to consider how best to articulate the County's vision for digital government, which could be part of the County's new strategic plan. Also, see Recommendation 2 regarding an IT strategic plan.*

*The Board of Supervisors agrees with the CEO.*

**Recommendation 2:** Starting with the 2024-2025 budget cycle, the Napa County CEO adopt an annual IT strategic plan that includes multi-year objectives and investments in data integration, infrastructure, communication and digitization.

*Chief information Officer and County Executive Officer: The recommendation will be implemented. ITS has a draft of a 3-year strategic plan completed. The plan does include multi-year objectives around big data, which includes data strategy and governance, data integration, infrastructure, communications, and digital initiatives. The plan, however, needs to be approved by the CEO before it can be integrated into the Fiscal Year 2024-2025 budget plan.*

*The Board of Supervisors agrees with the CEO.*

**Recommendation 3:** By June 1, 2024, the Napa County CEO should initiate a project to implement a common data management system in order to share information across departments and applications.

*Chief information Officer and County Executive Officer: This recommendation will be implemented. Information Technology Services posted a request for proposal (RFP) for an enterprise data management system in May 2023 seeking proposals from respondents to provide an enterprise data management solution and related implementation services. The plan is to bring an agreement to the Board of Supervisors with the selected vendor in the Fall of 2023 and commence with the implementation after approval. This will be a 3-to-4-year implementation with multiple phases. The goal is to complete the first phase by the Spring of 2025.*

*The Board of Supervisors agrees with the CEO.*

**Recommendation 4:** By December 1, 2023, the Napa County CEO should consider a policy that new proprietary (County developed) applications be deployed by exception only.

**Chief information Officer and County Executive Officer:** *This recommendation requires further analysis. CEO and ITS will consider a policy for this recommendation by December 1, 2023. As noted in the response to Finding 2 above, the policy will need to allow for new proprietary application development if a vendor solution is not available, or when the cost of vendor solutions is prohibitive.*

**The Board of Supervisors agrees with the CEO.**

**Recommendation 5:** By December 1, 2023, The Napa County CEO should consider a policy that existing proprietary applications be replaced by package applications.

**Chief information Officer and County Executive Officer:** *The recommendation requires further analysis. CEO and ITS will consider a policy for this recommendation or combine this recommendation into the policy noted in the response to Recommendation 4. As noted in the response to Finding 2 above, the policy will need to allow for replacement proprietary application development if a vendor solution is not available, or when the cost of vendor solutions is prohibitive.*

**Board of Supervisors:** *The Board of Supervisors agrees with the CEO.*

## Mental Health Crisis Services in Napa County

### INTRODUCTION

*The Report of the 2022-2023 Napa County Grand Jury, “Mental Health Crisis Services in Napa County,” sets forth nine findings and eight recommendations directed to the Napa County Health and Human Services Agency (HHS). This response aims to respond to those findings and recommendations, and further explain the broader ecosystem that comprise the County's crisis services continuum of care and the many partnerships and initiatives already underway at HHS directed at enhancing those services.*

### FINDINGS

**Finding 1.** The mental health crisis needs of Napa County are not being fully met, despite the existence of the CSU and Mobile Response Team and the efforts of their teams.

**The Director of Health and Human Services Agency agrees with this finding.** *The mental health needs throughout the community, including the increased need for crisis services have escalated given factors associated with the Covid-19 pandemic. The challenges faced by community members, especially youth, were exacerbated by social isolation heightened by remote*

*learning and pandemic related uncertainty. In understanding this, after months of planning, in February 2022, HHSA launched the Mobile Response Team (MRT) to provide community-based crisis intervention for community members of all ages. The Director acknowledges there is a statewide workforce shortage of mental health clinicians and those workforce challenges have included Napa County and impact the MRT. HHSA has engaged in continuous recruitments for these positions and strived to bring staff on as quickly as possible to fully staff the MRT.*

*The Director acknowledges there is more to do – and that work is already underway – to meet the increased mental health crisis needs of the community and using community feedback, utilization rates and integrated data we remain focused on scaling solutions that keep people stabilized in the least restrictive environment. First, while staffing is fluid, as of the submission of this response on July 17, 2023, the MRT positions are filled and the hours of coverage are Monday through Friday, 8 am to 5 pm. With the provision of staffing in place, over the next several months, the next phase of planned MRT expansion can be implemented with the goal of MRT coverage hours extending to 10 pm and including weekends. The anticipated expansion is targeted for the end of October 2023.*

*Second, by December 31, 2023, through a contracted provider, HHSA is committed to launching expanded mobile response services to cover 24/7, 365 days a year. HHSA issued a Request for Proposals earlier this Spring and is now in contract negotiations with Crestwood Behavioral Health; notably, Crestwood is the provider operating the CSU and this expansion will help bolster and optimize our continuum of crisis care. These services will remain community-based, including response to local emergency department (ED) to assist in alleviating concerns associated with crisis needs during after hours and weekend response.*

*Third, after an arduous application process that started in mid-2022, in June of this year HHSA received notification of a conditional award from the Department of Health Care Services (DHCS) for approximately \$3.3M to expand the CSU by creating a separate children's stabilization unit within the CSU, creating four additional crisis beds.*

*Lastly, it is important to understand that meeting mental health crisis needs extends beyond the CSU and MRT cited in this finding. While the focus of this has been directed specifically at two services, HHSA, through its Behavioral Health Division, provides a full continuum of crisis management services including through mental health clinicians embedded with law enforcement staff who provide community-based field response, our crisis residential services provided through a contracted provider, Progress Foundation, and through the provision and management of psychiatric hospital placements and Institutions for Mental Diseases (IMDs) placements.*

***The Board of Supervisors agrees with the director.***

**Finding 2.** The CSU's capacity constraints and exclusionary policies limit the CSU's ability to treat all individuals in need of mental health crisis services.

***The Director of Health and Human Services Agency partially agrees with this finding.*** *The CSU is operated by a County contracted provider, Crestwood Behavioral Health. Contracted providers set protocols and policies in alignment with overarching guidelines and practices set*

*forth through the Department of Health Care Services (DHCS) Licensing division with contractor oversight by HHSAs Behavioral Health Division. All CSU operate with specific exclusionary criteria for safety and precautionary reasons. The admission and exclusionary criteria are standardized and are designed by licensed physicians in conjunction with contracted provider leadership staff and set in accordance with CSU policies across like-operated sites.*

*Exclusionary criteria are important since, as the Grand Jury report notes, the CSU is not a medical facility, and, as such, it is not a facility designed or equipped to support medical needs; that is, it is not a hospital. Thus, people in need of medical support or stabilization, such as acute intoxication or chronic obstructive pulmonary disease (COPD), as examples, cannot be adequately and safely treated in a CSU. In addition, certain conditions requiring medical assisted devices, such as sleep apnea or ambulatory needs, including walkers, cannot be managed in the CSU given safety concerns around use of medical devices as weapons or ligature risk. It is important to remember that a CSU is a place where individuals, for a period of less than 24 hours, experiencing a mental health crisis receive stabilizing services. This includes individuals deemed a danger to themselves or others. HHSAs regularly reviews exclusionary criteria with our contracted provider, our local emergency department's clinical staff, and law enforcement partners, and we work in partnership on the exclusionary criteria and in ensuring care is coordinated for those who cannot be safely treated in the CSU.*

***The Board of Supervisors partly agrees with the director.***

**Finding 3.** The CSU capacity to treat individuals in mental health crises is reduced by clients being treated that more appropriately need detox services.

***The Director of Health and Human Services Agency partially agrees with this finding.*** *At times it is difficult in assessment processes to deduce whether an individual is experiencing acute mental health symptoms or substance use (intoxication) related symptoms. It is also true that this challenge has been enhanced by the temporary unavailability of the in-county withdrawal management treatment facility. HHSAs immediately issued a Request for Proposals and has been working diligently with our newly selected treatment provider to bring their contract to the Board of Supervisors for approval, while the provider concurrently has submitted their request for licensure to the Department of Health Care Services (DHCS). HHSAs is working to ensure our new provider is operational as quickly as possible to provide withdrawal management services and upon the provider being licensed by DHCS to do so. HHSAs is also continuing to work in partnership with law enforcement, our local emergency department, our CSU provider, and ultimately with our new withdrawal management/residential treatment provider to ensure appropriate workflows exist for individuals to get to the right level of care at the right time and withdrawal management services to be readily accessible. HHSAs will continue utilizing our quarterly provider meeting as the forum for designing functional workflows and warm hands-offs to ensure individuals receive the appropriate level of care.*

***The Board of Supervisors partly agrees with the director.***

**Finding 4.** Individuals in mental health crises on a 5150 hold who cannot get into the CSU are usually diverted to the Emergency Department of the Queen of the Valley Medical Center which

is not staffed or designed to provide comprehensive mental health crisis treatment.

***The Director of Health and Human Services Agency agrees with this finding.*** When counties experience mental health crisis treatment that temporarily exceeds the capacity of a CSU, community members in need of psychiatric support typically receive treatment at the closest, local emergency department. The range of treatment available at local emergency departments vary depending upon the specialized services provided by that hospital. Here in Napa, it is true that QVMC has not opted to provide comprehensive mental health crisis treatment. However, all hospitals are legally required to provide emergency medical care and it is important that individuals in need of emergency care, including mental health care when they are at risk of self-harm, can obtain services in our community. Emergency departments are equipped with social workers, licensed physicians and other providers who are trained and capable of providing stabilization services, in addition to medication.

Finally, as noted previously, HHS is pursuing an expansion of the CSU and received notification of a conditional award from the Department of Health Care Services (DHCS) for approximately \$3.3M to expand the CSU by creating a separate children's stabilization unit within the CSU, creating four additional crisis beds. Once the expansion is completed, the capacity of the CSU will be increased from 8 crisis beds to a total of 12. It is anticipated that this 50% expansion (to capacity levels of counties with much larger populations) will minimize the instances where the CSU is at capacity.

***The Board of Supervisors agrees with the director.***

**Finding 5.** Individuals in mental health crises who are diverted to the Emergency Department of the Queen of the Valley Medical Center reduce the hospital's capacity to treat medical emergencies.

***The Director of Health and Human Services Agency partially agrees with this finding.*** Like any facility or unit, emergency departments operate with a given number of available beds, and thus an individual experiencing a mental health emergency might be utilizing a bed. However, a mental health or psychiatric emergency is nevertheless a medical emergency. Mental health is a part of health, and providers, agencies, organizations, families, and individuals work hard to reduce the stigma associated with mental illness and the occurrence of a mental health crisis. The unintended consequence of characterizing mental health as something other than a medical condition is that it has a stigmatizing effect when mental health care should be placed on equal footing by all health care providers.

That said, HHS remains committed to expanding the crisis continuum and ensuring individuals receive the right level of services, in the right place at the right time, and in the most compassionate and respectful manner possible. While the emergency room might not appear to be the best place for someone in a mental health crisis to receive treatment, it remains the right place within the right context and circumstances since ensuring life-saving care is provided is paramount to all health care providers.

The Director also incorporates by reference the above response to Finding 4.



***The Board of Supervisors partly agrees with the director.***

**Finding 6.** Individuals in a mental health crisis often also have substance abuse, medical, and/or homelessness issues. County services to meet these needs are fragmented resulting in individuals often not getting the services they need.

***The Director of Health and Human Services Agency disagrees with this finding.*** *It is true that individuals experiencing a mental health crisis may have been impacted by social, economic, and environmental factors over the course of their lifetimes bringing them to experience multiple concurrent life challenges. As noted previously, the stigma (still) associated with mental illness provides everyone with the opportunity to positively influence our community by removing judgment or shame and embracing parity, thereby increasing the likelihood that individuals will engage in wellness and recovery at the earliest possible point. There are many challenges in treatment of individuals with complex needs, both within and outside the realm of behavioral healthcare.*

*HHSA works closely with other health and social services providers, including through its vast network of contracted providers, other County departments, and other health care providers in the County, to collectively meet the needs of individuals in our community. In fact, County staff routinely come together in multi-disciplinary teams to collectively strategize to meet the complex needs of our shared clients; HHSA staff work with the Housing and Homeless Services Division of the County and the coordinated entry system to prioritize clients for housing; HHSA has two staff who are board members on the Continuum of Care; HHSA developed and implemented a universal release of information in early 2021 to promote information sharing for care coordination; and, as of 2023, HHSA enrolled with our managed care plan to become an Enhanced Care Management provider in order to provide an additional set of service focused exclusively on ensuring linkage to a wide array of services, including services not provided by the County. Finally, HHSA has worked with many County departments to pursue a shared goal of a master data system that can link our service and client data so that systems support the provision of care in an increasingly holistic and integrated fashion.*

***The Board of Supervisors disagrees with the director.***

**Finding 7.** The Mobile Response Team is often unavailable for mental health crises that occur outside normal business hours, resulting in the overuse of law enforcement, the CSU, and the Queen of the Valley Medical Center Emergency Department.

***The Director of Health and Human Services Agency partially agrees with this finding.*** *As noted previously, the MRT currently operates during normal business hours of Monday Friday from 8am-5pm. HHSA also contracts with CSU for after hours and weekend response needs. As mentioned before, now that HHSA has finally reached staffing capacity, we anticipate being able to reach our goal since the program's inception in early 2022 of expanding MRT hours by the end of October 2023. HHSA is also in the process of negotiating a new contract for after hours and weekend expanded mobile response services, thus covering 24/7 365 days a year, by December 31, 2023. This expanded contracted service will include community-based responses,*

*including local emergency department response. It is worth noting that California is facing an unprecedented behavioral health workforce shortage, which has made expansion of MRT challenging despite its steadfast prioritization by HHSA.*

*The Director also incorporates the above responses to Finding 1, 4, and 5.*

***The Board of Supervisors partly agrees with the director.***

**Finding 8.** Data on mental health crises in Napa County made available to the Jury was fragmented and incomplete.

***The Director of Health and Human Services Agency agrees with this finding.*** *Data collection has been hindered with our prior electronic health record that was utilized by HHSA for the past 14 years as the platform for documenting and billing behavioral health services. After issuing a Request for Proposals in 2022, selecting a new vendor, engaging in contract negotiations, and embarking upon an implementation plan, as of July 1, 2023, HHSA transitioned to a new electronic health record called “Credible.” HHSA, in collaboration with a contracted provider, is prioritizing data collection, evaluation, and reporting requirements. Our goal is to align our internal and external data collection processes and prioritize the use of data in our decision-making focusing on system efficacy.*

***The Board of Supervisors agrees with the director.***

**Finding 9.** The Crestwood contract is not an accurate representation of the duties being performed, and the performance outcome metrics don't align with the reporting required by the funding grant.

***The Director of Health and Human Services Agency partially agrees with this finding.*** *HHSA proactively monitors contract providers to ensure performance metrics and reporting requirements are met. Contracts for the provision of mental health services are reviewed annually and, where appropriate, revisions are made with a goal of continuous quality improvement and oversight through the provision of data. For context, the CSU which opened in 2017, was originally operationalized in part from funding through a grant secured by the California Health Facilities Financing Authority (CHFFA). A requirement of that grant funding includes ongoing annual reporting by HHSA, including providing data on performance, demographics, and community impacts. The reporting requirements are contractual obligations and our contracted provider, Crestwood Behavioral Health, provides our Behavioral Health Division with quarterly and annual data reports. In addition, our CSU works collaboratively with our community providers and shares summary demographic and other data regarding discharges in the previously referenced provider meetings to help ensure accountability and transparency in patient flow.*

*Finally, the recently approved Fiscal Year 2023-2024 contract with our CSU provider, Crestwood Behavioral Health, reflects a better-defined scope of work, adjustments to performance metrics, and formalizes additional data collection and reporting. HHSA’s Behavioral Health Division will continue to actively perform contract monitoring and*

collaborate on data needs.

***The Board of Supervisors partly agrees with the director.***

## **RECOMMENDATIONS**

**Recommendation 1.** By December 1, 2023, HHS quantified the needed additional mental health crisis beds to meet the County’s mental health crisis needs and implemented a plan to secure them.

***Director of Health and Human Services Agency Response: This recommendation has been implemented. The Director of Health and Human Services Agency agrees with this recommendation.*** In fact, this number has already been quantified as part of the previously explained CSU expansion project that HHSA initiated in late 2021 and early 2022. The data evaluation showed that with an additional 2 adult beds and 2 children’s beds the County would meet the increased need. The evaluation process included analyzing past and current CSU diversion data, population demographics, current CSU census demands, the extent to which this level of care is made available through local hospitals, and psychiatric hospitalization placement utilization. As explained in prior sections of this response, after an arduous application process that started in mid-2022, in June of this year, HHSA received notification of a conditional grant award from the Department of Health Care Services (DHCS) for approximately \$3.3M to expand the CSU by creating a separate children’s stabilization unit within the CSU, resulting in a net increase of four additional crisis beds. It should be noted that when this expansion is completed, and the CSU has 12 beds, it will have the same number of beds as neighboring counties with over twice the population. This process was coupled with information sponsored in a report by DHCS titled, “Assessing the Continuum of Care for Behavioral Health Services in California: Data, Stakeholder Perspectives and Implications.” This information was critical to understanding identified needs and both county and state-wide system capacity.

***The Board of Supervisors agrees with the Director of Health and Human Services Agency.***

**Recommendation 2.** By December 1, 2023, HHS establish a capability for individuals in need of detox to be directly treated at a detox facility and not the CSU.

***Director of Health and Human Services Agency Response: The recommendation has not yet been implemented. The Director of Health and Human Services Agency agrees with this recommendation.*** HHSA experienced an unexpected loss of our withdrawal management and residential substance use disorder provider in March 2023. In April 2023, HHSA expedited issuance of a Request for Proposals, resulting in the selection of a new vendor to operate the County’s Drug Medi-Cal Organized Delivery System (DMC-ODS) withdrawal management and residential substance use disorder treatment provider and with the goal of having the contract in place by the end of August 2023. Concurrently, the selected provider has already submitted its request for licensure to DHCS which is a necessary step to legally operate and open this treatment facility. The new provider will be working closely with HHSA’s Behavioral Health Division on workflows and pathways for entry directly into withdrawal management beds. In addition, HHSA has already identified and is exploring software that can assist in the creation of

*a live updated daily bed census for internal staff, contracted providers, and hospital partners to understand real-time bed capacity and direct bed admissions and warm hand-offs. It is critical that data collection and reporting be automated using software that provides our system with work collaboration tools to ensure efficiency, sustainability, and accuracy of real-time data.*

***The Board of Supervisors agrees with the Director of Health and Human Services Agency.***

**Recommendation 3.** By December 1, 2023, HHS established a capability and policy such that individuals who are in a mental health crisis and medically stable only be treated at regional facilities where they can receive mental health treatment.

***Director of Health and Human Services Agency Response: The recommendation will not be implemented. The Director of Health and Human Services Agency disagrees with this recommendation because of its practical infeasibility.*** *Given the current state-wide bed shortage it is unrealistic and impossible for HHSA or any county to create a policy that “individuals who are in a mental health crisis and medically stable only be treated at regional facilities where they can receive mental health treatment.” The complexities associated with this request are many, including that HHSA cannot hold regional providers, including LPS designated facilities and State hospitals, accountable to receiving Napa County individuals for treatment on demand, as those facilities operate and are governed by their own rules and policies within their own agency, business, and/or hospital system. That said, as previously stated throughout this response, HHSA has been working diligently to increase capacity at the CSU and is in receipt of a conditional Behavioral Health Continuum Infrastructure Project (BHCIP) grant award of \$3.3M to expand the existing CSU to create a separated children's treatment milieu that will provide care for up to four children. The two beds currently dedicated to children in the CSU will be transitioned to adult beds, for a new total of 12 beds.*

***The Board of Supervisors agrees with the Director of Health and Human Services Agency.***

**Recommendation 4.** By October 1, 2023, HHS took leadership to coordinate all regional resources to provide a more comprehensive and integrated capability for treating individuals in a mental health crisis. Providers minimally to be included are Providence Queen of the Valley Medical Center, Adventist Saint Helena Hospital/Adventist Health Vallejo Center for Behavioral Health, CSU, law enforcement, and California State Hospital - Napa.

***Director of Health and Human Services Agency Response: This recommendation has been implemented. The Director of Health and Human Services Agency agrees with this recommendation and, notably, HHSA, through its Behavioral Health Division, already facilitates and coordinates a quarterly collaborative partner meeting including all the named providers except for Napa State Hospital. This meeting has been in existence for many years and includes the HHSA Director and Deputy Director of HHSA-Behavioral Health. With respect to Napa State Hospital, like most of the five operating Department of State Hospitals in California, they do not operate with capacity for the admission pursuant to California Welfare and Institutions Code (WIC) section 5150. The beds at Napa State Hospital are for patients mandated for treatment in civil or criminal trials, having committed crimes because of their mental illness. According to the Department of State Hospitals, Napa State Hospital primarily treats clients in***

*the following categories: Lanterman-Petris-Short conservatorship, Not Guilty by Reason of Insanity, Incompetent to Stand Trial and Offender with a Mental Health Disorder. Given the specialization and specific treatment population at Napa State Hospital and the fact that they are not placement options for individuals on an involuntary hold pursuant to WIC section 5150, they are not viable participants in a meeting focused on local mental health crisis services and needs. In Summer 2023 this meeting will expand to include the new DMC-ODS withdrawal management and residential treatment contracted provider and by Winter 2023/2024 it will expand again to include the afterhours/weekend Mobile Response Team contracted provider.*

***The Board of Supervisors agrees with the Director of Health and Human Services Agency.***

**Recommendation 5.** By October 1, 2023, HHS designate one or more appropriate Providence professionals with the authority to lift a 5150 hold at the Queen of the Valley Medical Center.

***Director of Health and Human Services Agency Response: This recommendation will not be implemented because it is not warranted. The Director of Health and Human Services Agency disagrees with this recommendation. MRT staff are already available to respond to our local emergency department during normal business hours to evaluate and lift a 5150 hold, where clinically appropriate and indicated. As stated previously, as of the writing of this response with the provision of staffing in place, over the next several months, the next phase of planned MRT expansion can be implemented with the goal of MRT coverage hours extending to 10 pm and including weekends. The anticipated expansion is targeted for the end of October 2023.***

*Further, in June 2023, through issuance of a Request for Proposals, a provider was chosen to begin contract negotiations with HHSA's Behavioral Health Division for after hours and weekend Mobile Response Team. This contract will augment the hours of operation for the county-operated Mobile Response Team, creating 24/7 response, availability, and ease of access into the CSU and withdrawal management or residential substance use disorder beds. This further MRT expansion will be operational no later than December 31, 2023. With the establishment of this expanded programming, there will be increased capacity to write and lift psychiatric holds 24/7, including weekends and holidays, and to respond to the local emergency department.*

*Accordingly, HHSA intends to meet the interest set forth in this recommendation through its existing County staff and a provider with whom it maintains a contractual relationship. This will allow for the County to engage in contracted provider oversight, evaluate outcomes, and manage patient flow to the appropriate level of care across its many contracted providers, including crisis residential treatment, psychiatric health facilities, and IMDs, that are part of its network and system of care. Similarly, it will allow for the County to ensure appropriate clinical follow-up occurs when individuals are released from an involuntary hold, including ongoing client and community safety, and assessing for the appropriateness of outpatient services offered by the County.*

***The Board of Supervisors agrees with the Director of Health and Human Services Agency.***

**Recommendation 6.** HHS publish in their Annual Report metrics on mental health crises in Napa County, which minimally includes the number of all 5150s, individuals treated by the MRT and CSU, and individuals diverted and excluded from the CSU.

***Director of Health and Human Services Agency Response:*** *This recommendation is not yet implemented. The Director of Health and Human Services Agency agrees with this recommendation. HHSA will, through its Behavioral Health Division, publish in an annual report metrics on mental health crisis response in Napa County. The collected data will be through county-operated and contracted programs, including the MRT and CSU.*

***The Board of Supervisors agrees with the Director of Health and Human Services Agency.***

**Recommendation 7.** By December 1, 2023, HHS establish a plan for 24/7 staffing for either the Mobile Response Team or embedded resources within law enforcement.

***Director of Health and Human Services Agency Response:*** *This recommendation is not yet implemented. The Director of Health and Human Services Agency agrees with this recommendation and a planned December 31 implementation date. Please see the above responses to Findings 1 and 5 and to Recommendation 5, which are incorporated by reference.*

***The Board of Supervisors agrees with the Director of Health and Human Services Agency.***

**Recommendation 8.** By June 30, 2024, contract renewal date for the Crestwood Contract, HHS ensure the contract is an accurate reflection of duties and performance required.

***Director of Health and Human Services Agency Response:*** *This recommendation has been implemented. The Director of Health and Human Services Agency agrees with this recommendation. The Crestwood Behavioral Health contract has been amended effective as of this Fiscal Year 2023-2024. Please see the above response to Finding 9, which is incorporated by reference.*

***The Board of Supervisors agrees with the Director of Health and Human Services Agency.***

## **CONCLUSION**

*The County would like to acknowledge the work of the Grand Jury. It is apparent they have an interest in the important and complex work of HHSA and share in our goals of making mental health crisis services available and accessible to the community.*

**Napa County  
Responses To The Grand Jury Report On  
Napa County Groundwater Management**

**INTRODUCTION**

The “Napa County Groundwater Management” Report of the 2022-2023 Napa County Grand Jury sets forth eight (8) findings and five (5) recommendations relating to the management of groundwater resources in Napa County. This Memorandum comprises the responses of the Director of the Department of Planning, Building and Environmental Services (PBES), the County Executive Officer and the Board of Supervisors.

We would also like to take this opportunity to acknowledge the work of this year’s Grand Jury. We appreciate the Grand Jury’s interest in and focus on groundwater management in Napa County. It is a highly complex topic, especially with the overarching goals of ensuring that water resources are managed to protect communities and the environment, ensuring water supply reliability, and preparing for future weather extremes in the face of climate change and uncertainty.

**FINDINGS**

**Finding 1. Napa County officials do not know the number, location, or capacity of groundwater wells and storage tanks in the County.**

*Response of the Director of the Department of Planning, Building and Environmental Services and County Executive Officer: We disagree wholly with the finding about number, location, and capacity of wells. We disagree partially with the finding about number, location, and capacity of groundwater tanks.* Groundwater storage tanks 5,000 gallons or larger are required to be installed under a permit obtained from the Building Division. However, due to complexities of the permit tracking system, the number and location of tanks cannot be estimated with a reasonable degree of certainty. However, the number of such tanks is not indicative of the relative abundance or scarcity of groundwater in the Napa Valley Subbasin, and no conclusions or inferences about the health of the Subbasin should be drawn from any knowledge, be it anecdotal or evidentiary, of the existence of such tanks. Moreover, in some ways tanks can be beneficial in that they allow water to be stored and dispensed as needed instead of continuously pumping during peak usage periods, typically morning and evening for most households. Storage tanks also provide water in case of an emergency, pump failure, power outage, or when maintenance of the well or pump is necessary.

With respect to the number and location of wells, the County has permitted well construction including new, replacement, and the destruction of wells since late 1970 (under Ordinance 335). It is unknown exactly how many wells may have been installed prior to this date; however, in 2022 GIS staff from PBES (including the GIS Coordinator and two GIS technicians) embarked on a rigorous, 500+ hour exercise to verify the existence of all wells for which records exist, either within PBES or DWR. Staff reviewed over 10,000 well locations provided by the publicly

available DWR *Well Completion Reports* online GIS layer. Many of the wells from the DWR layer were not located accurately. Where feasible, staff reconciled well locations by situs address and/or assessor's parcel number. The remaining wells lacking accurate site information were located by other means: 1) finding locations based on hand-drawn sketches in the well completion report, 2) matching well ID numbers to department-issued permits, or 3) utilizing visual matching means using engineering drawings or aerial photos as reference. As a result, GIS



staff estimates that over 90% of these wells have been located with a minimum parcel-level accuracy.

The well verification exercise was ongoing at the time the Grand Jury was conducting their investigation and concluded only recently. County staff estimate the current number of wells as shown in the table below. It is important to recognize the number of wells does not correlate to the amount of water being pumped from the aquifer. The amount of water being pumped correlates to the land uses on the parcel (e.g., vineyard, dwelling, winery, etc.).

		Grand Total	Total	
Well Type	Well Use + Cat.		GSA	Non-GSA
Water Supply	Domestic - Domestic	4,978	1,601	3,377
	Irrigation - Ag + Landscape	2,573	1,131	1,442
	Public (Locally Regulated)*	184	81	103
	Other - Combined	339	128	211
	<b>TOTAL, Water Supply</b>	<b>8,075</b>	<b>2,942</b>	<b>5,133</b>
Monitoring		691	505	186
Other or Unknown		879	435	444
<b>TOTAL WELLS</b>		<b>9,645</b>	<b>3,882</b>	<b>5,763</b>
*These wells are GPS'd and tracked by PBES Environmental Health staff				

Most of the wells' locations have been verified with parcel-level accuracy and are stored in the County's GIS. During inspections of new public supply wells and destructions of existing public wells, staff use GPS to locate the well in the field and upload the data to the GIS system. Additionally, during well permit review, the well locations identified on permit submittal materials are shared with GIS staff for use to check the work in the GIS system and update as needed.

It should be noted that while the estimate of the number of wells presented here is believed to be accurate within the practical limits of time and staff resources, the exact number can never be absolutely ascertained. County staff will, on an ongoing basis, review any new or newly obtained records and revise the well count accordingly.

As to the question of well capacity, well drillers often estimate the flow of water following well installation and during or at the conclusion of well development. Sometimes this information is recorded on the Well Completion Report. However, these estimates are found to be generally unreliable and do not represent the ongoing, reliable groundwater flow that can be produced from the well after installation is complete. Moreover, these estimates (absent other information and analyses) would not provide useful information as to the health of the underlying aquifer even if they were accurate and consistently reported.

Additionally, a well yield test is required prior to the issuance of a building permit for a new dwelling or replacement dwelling. The water supply must provide a minimum yield prior to

issuance of a permit to build a new dwelling (Napa County Code 13.04.040). A yield test must be conducted for a new small public water system prior to approval of a permit in accordance with California Code of Regulations, Chapter 16, Waterworks Standards, Section 64451. These yield tests are made available to the County when required to satisfy building permit requirements. These tests provide an indication of the amount of groundwater that can be reliably pumped from a well at a given location to meet the water demand for the intended use. This test is not an indication of the status of the regional groundwater system.

***The Board of Supervisors agrees with the Director of the Department of Planning, Building and Environmental Services and County Executive Officer.***

**Finding 2.** Despite the 2022-2023 storms, drought is still a concern in Napa County.

***Response of the Director of the Department of Planning, Building and Environmental Services and County Executive Officer: We strongly agree with the finding.*** As presented in Agenda Item 11A to the Board of Supervisors on May 30, 2023, the Governor issued a Proclamation of a State of Emergency declaring drought in several counties, including Napa on May 10, 2021. On March 8, 2022, the Board of Supervisors proclaimed a State of Local Emergency due to drought conditions in Napa County, pursuant to Resolution No. 2022-29. Since October 1, 2022, Napa has received nearly 32 inches of rain, which exceeds the normal Napa Valley annual rainfall for the water year and has prompted community members to ask if the region is still in a drought and whether an emergency is still needed. While drought conditions have ended and the Board terminated the State of Local Emergency on May 30, 2023, ongoing groundwater management efforts are required in the Subbasin and necessary countywide.

The Governor’s office continues to emphasize that “while recent storms have helped ease drought impacts, regions and communities across the state continue to experience water supply shortages, especially communities that rely on groundwater supplies that have been severely depleted in recent years.” The Governor’s office also stated that “next winter’s hydrology is uncertain and the most efficient way to preserve the State’s improved surface water supplies is for Californians to continue their ongoing efforts to make conservation a way of life” (Executive Order N-5-23). On March 28, 2023, a presentation to the Napa County GSA on the Water Year 2022 Annual Report concluded with the recommendation – whether it’s drought or deluge – that “conservation be a Napa way of life.”

***The Board of Supervisors agrees with the Director of the Department of Planning, Building and Environmental Services and County Executive Officer.***

**Finding 3.** Napa County does not have an umbrella water agency to coordinate, oversee, and set policy for its 14 public and 20 private water districts.

***Response of Director of the Department of Planning, Building and Environmental Services and County Executive Officer: We agree with the finding that the County does not have an***

*umbrella water agency.* The idea was preliminarily considered in the Napa Countywide Water and Wastewater Municipal Service Review issued by the Local Agency Formation Commission (LAFCO) in 2020. Examination of the pros, cons, level of effort and funding required to effectuate such an outcome will require further analysis. The creation of any such umbrella water agency would require approval by the 34 separate public and private entities, their customers, and the LAFCO.

*The Board of Supervisors agrees with the Director of the Department of Planning, Building and Environmental Services and County Executive Officer.*

**Finding 4.** Groundwater over pumping can lead to land subsidence, saltwater intrusion, decreased water quality, and depletion of aquifers.

*Response of Director of the Department of Planning, Building and Environmental Services and County Executive Officer: We agree with this finding.* The goal of the GSP is to achieve sustainability by ensuring that there are no Undesirable Results in the Napa Valley Subbasin by 2042. To accomplish the sustainability goal, the GSP includes six Sustainability Indicators for the purpose of avoiding significant and unreasonable effects on groundwater conditions throughout the Subbasin, including:

1. Chronic groundwater level decline;
- 2. Reduction in groundwater storage;**
- 3. Depletion of interconnected surface water;**
4. Land subsidence;
5. Degraded water quality; and
6. Seawater intrusion

Sustainable Management Criteria (quantitative metrics) are defined for each Sustainability Indicator, including the Measurable Objective, Minimum Threshold, and Undesirable Result. The Minimum Threshold defines when the indicators are declining to a point where the GSA should evaluate the conditions and determine the necessary responses needed to maintain or achieve sustainability, including implementing Projects and Management Actions (PMAs) to avoid Undesirable Results. An Undesirable Result indicates conditions that need to be avoided to protect the long-term health of groundwater in the Subbasin (including interconnections with surface water) and achieve sustainability.

In Water Year (WY) 2022, Minimum Thresholds were exceeded, at least in part, for five of the six indicators (all except seawater intrusion) and Undesirable Results were brought about for the two indicators shown above in bold print: reduction in groundwater storage and depletion of interconnected surface water. There were substantial groundwater level declines in more than 20% of the Subbasin representative monitoring site wells. Two monitoring wells at stream monitoring sites indicated consecutive fall occurrences in effects on the level of interconnected surface water at those locations. Groundwater declines in monitoring wells indicate the potential for subsidence, although InSAR (Interferometric Synthetic Aperture Radar) land surface

displacement data indicate that the Minimum Threshold of 0.2 feet of subsidence has not occurred.

Although overall groundwater pumping in the Subbasin decreased compared with WY 2021, pumping in WY 2022 was still significant enough to result in an Undesirable Result for the Sustainability Indicator for reduction in groundwater storage. The 7-year average of annual groundwater extraction exceeded the estimated sustainable yield of 15,000 acre-feet/year for the Napa Valley Subbasin. In WY 2022, groundwater storage increased across most of the basin by 11,910 acre-feet. This contributed to some groundwater replenishment; however, the Subbasin was still significantly affected by persistent drought conditions during WYs 2020, 2021, and 2022; groundwater levels exceeded Minimum Thresholds, and Undesirable Results occurred for two Sustainability Indicators. The large amount of precipitation in the first five months of WY 2023 is likely to result in significantly more groundwater replenishment in WY 2023 compared to WY 2022.

WY 2022 saw a continuation of drought conditions throughout Napa County and the Napa Valley Subbasin. WY 2020 and 2021 registered as the driest consecutive years since at least the 1890s, as measured by the precipitation gauge at the State Hospital in the City of Napa. Despite the early rains in October and December 2021, minimal precipitation occurred in later months in WY 2022. The precipitation total in WY 2022 was 21.24 inches and registered as a normal (below average) year.

Total water use (surface water, groundwater, and recycled water) in the Napa Valley Subbasin in WY 2022 is estimated to have been approximately 40,302 acre feet (approximately 4,000 acre-feet less than WY 2021), including uses by agriculture, cities, small public water systems, individual well users, Groundwater Dependent Ecosystems (GDEs), and other native vegetation. This is within the range of total annual water use documented since 1988, which has varied between approximately 38,000 and 47,000 acre-feet per year.

Groundwater extraction by wells totaled approximately 18,790 acre-feet in WY 2022, representing 47% of total water use. The highest level of pumping was in WY 2021 (22,840 acre-feet) and the second highest year of groundwater pumping was in WY 2020, when 19,610 acre-feet of groundwater was used. For the third consecutive year, groundwater pumping exceeded the estimated sustainable Subbasin yield of 15,000 acre-feet per year. With reduced rain, especially in Spring 2022, landowners appeared to increase their use of groundwater compared to years prior to 2020. Direct uptake of groundwater by GDEs and native vegetation accounted for another 16% (approximately 6,000 acre-feet) of total water use.

As described in the GSP, once Minimum Thresholds and/or Undesirable Results have been exceeded, the Napa County GSA should assess the causal factors resulting in the exceedance(s), including the extent to which the drought has contributed to these conditions. This analysis is critical to ensure careful consideration of potentially changed groundwater conditions and inform steps to implement Projects and Management Actions (PMAs). GSP Section 11 describes PMAs; this section also describes an adaptive management process. Ongoing data analysis to assess the status of each Sustainability Indicator is key to determining whether conditions are changing, and actions are warranted to curtail a trend in conditions such that they do not become significant and

unreasonable and ultimately an Undesirable Result. It is useful to establish “early warning” metrics, which can be a specified, pre-defined trigger or an analysis approach to quantify a declining status or trend. This approach is designed to initiate a PMA well before the occurrence of an Undesirable Result. GSP Table 11-3 summarizes the criteria for the six Sustainability Indicators that trigger prompt analysis of basin conditions and possible implementation of PMAs to address the potential or actual exceedance of Minimum Thresholds or to mitigate Undesirable Results that have already occurred or are imminent. For WY 2022, Minimum Threshold exceedances, Undesirable Results, and response actions are summarized in Annual Report Table ES-6.

***The Board of Supervisors agrees with the Director of the Department of Planning, Building and Environmental Services and County Executive Officer.***

**Finding 5.** Education of vineyard and winery owners, vineyard managers, farmworkers, wine production employees, landscapers, and residential users, is critical for improved groundwater management.

***Response of Director of the Department of Planning, Building and Environmental Services and County Executive Officer: We strongly agree with this finding.*** Education and outreach to the stakeholder community has been a priority for many years and efforts are underway to broaden and strengthen our engagement with the community. For example, the Communication and Engagement Plan (CEP, November 2020) prepared during GSP development is currently being updated and will include findings obtained through approximately 10-15 stakeholder interviews conducted by Stantec (under a facilitation support services agreement between DWR and the County) with a myriad of different stakeholder groups during the months of July and August 2023. The County maintains an email listserv of approximately 500 individuals who receive periodic emails about meetings of the GSA and TAG as well as water-related news and information. The County also convened a Drought and Water Shortage Task Force in 2021 in response to Senate Bill (SB) 552 and is developing a mitigation plan (“Drought Response Plan”) to address measures to assist owners of domestic wells in the event those wells go dry as a result of declining water levels.

In addition, the County is developing two (2) workplans whose intended audience is vineyard and winery owners, vineyard managers, farmworkers, vineyard and winery industry associations, the Farm Bureau, and owners of individual domestic wells. These workplans include: 1) Napa County Water Conservation Workplan: A Guide for Vineyards, Wineries and Other Sectors, and 2) Groundwater Pumping Reduction Workplan. Representatives of industry associations, the Farm Bureau and the public regularly participate in GSA and TAG meetings and County staff and consultants have participated in educational seminars conducted by Napa Valley Grape growers and Napa Green, fostering multi-directional communication and study.

***The Board of Supervisors agrees with the Director of the Department of Planning, Building and Environmental Services and County Executive Officer.***

**Finding 6.** Government, wine industry, and environmental groups do not consistently collaborate on groundwater management issues.

***Response of Director of the Department of Planning, Building and Environmental Services and County Executive Officer. We disagree with this finding.*** As described in response to Finding 5, communication among these groups has been an ongoing theme and regular occurrence for many years. The County’s goal, as stated in the GSP, is to bring the Napa Valley Subbasin into a condition of “sustainability” as soon as possible and by 2042 at the latest (to be SGMA-compliant). We believe this is a goal shared by our partners in local environmental groups and the wine/vineyard industry who have regularly expressed their commitment to responsibly stewarding the land and water resources. GSP implementation has involved coordination and collaboration in many different forms; we have provided some examples below. As described in Finding 5, efforts are underway to increase communication and engagement, including productive collaboration, as described below:

- Outreach to vineyard and winery organizations seeking their input during the development of the outline for the Napa County Water Conservation Workplan;
- Meetings with the Napa County Farm Bureau, Winegrowers of Napa County, and others regarding GSP implementation activities and to address questions and receive input;
- Provided draft outline for Interconnected Surface Water and GDEs Workplan to California Department of Fish and Wildlife (CDFW) and NOAA to receive input on Workplan content;
- Collaboration with other Napa County governmental entities on the Drought Contingency Plan and response to SB 552, including assembling the Drought and Water Shortage Task Force;
- Coordination with Napa County Resource Conservation District (Napa County RCD) on development of a brochure that is being distributed to growers to encourage their participation in and volunteered contribution of land-based remote sensing data to help refine Subbasin water use estimates;
- Meetings with Sonoma Water to share concepts and information related to assessment of surface water and groundwater interconnectivity and refinement of Sustainable Management Criteria;
- Participation in a regional assemblage of Subbasins in Sonoma County, Lake County, Ukiah, Mendocino, Solano, and Yolo County areas to share concepts, ideas, information, and potential outreach strategies related to SGMA and GSP implementation;
- Coordination with other entities on grant funding pursuits, including GSP implementation, entities included but were not limited to Napa County RCD, University of California at Berkeley, University of California at Davis; letters of support requested and received from Senator Bill Dodd, CDFW, and NOAA;
- Coordination and initial meetings with researchers and others involved in the OpenET platform to examine approaches for refining water use estimates;
- Coordination with DWR regarding the establishment of a new CIMIS station in Napa County, including conversations with entities where the station might be sited; and
- Outreach to and collaboration with numerous entities including City of St. Helena, Town of Yountville and the Napa County Farm Labor Centers about participation in the GSP monitoring program, especially groundwater quality monitoring;

- Meeting with Sierra Club members during GSP development regarding Groundwater Dependent Ecosystems (GDEs)
- Meeting with tribal representatives of the Yocha Dehe Wintun Nation regarding GSP development
- Meeting with ICARE (Institute for Conservation Advocacy Research and Education) and DWR regarding Airborne Electromagnetic Surveys (AEM)
- Meeting with SF Water Board, NOAA, CDFW and ICARE representatives regarding low flows in Napa River during drought

County staff firmly believe that collaboration among these groups is critical to our success and will endeavor to foster a collaborative spirit in all matters related to groundwater management.

***The Board of Supervisors agrees with the Director of the Department of Planning, Building and Environmental Services and County Executive Officer.***

**Finding 7.** The County permitting process is inconsistent, inefficient, and confusing to applicants seeking groundwater well permits.

***Response of Director of the Department of Planning, Building and Environmental Services and County Executive Officer. We disagree with this finding.*** Prior to March 2022, the County's permitting process was streamlined and efficient. Permits were issued in a timely fashion and the public was very familiar with County procedures. With the promulgation of the Governor's Executive Order (EO) N-7-22 in March 2022, as well as recent court decisions, the permitting procedures of every county in the State had to be re-considered, and in some cases (such as Napa County), completely re-designed. In consultation with legal counsel and in recognition of the multiple priorities of the EO, alignment and consistency with GSP requirements, CEQA, public trust and intensifying drought, the County developed and adopted interim procedures for reviewing and issuing well permits in June 2022. Although the Governor, through a subsequent EO N-5-23, rolled back some of the drought emergency provisions in late March 2023, due to current water conditions, the Governor's Emergency Order remains in place and the remaining criteria for the County's action remain. The reduced water use criterion currently in effect (0.3 acre feet per acre for new wells in the Subbasin) may be adjusted up or down in the future, as the County's Groundwater Ordinance and updates to the WAA are considered, the three groundwater management workplans underway are completed, and pending information from ongoing monitoring and analysis of the sustainable management criteria becomes available. The new procedures significantly increased the level of technical review and expertise required, both on the part of the applicant and staff, which likely resulted in some inconsistencies and confusion as staff and well drillers adapted to the new requirements. As with any new requirement or procedure, there can be a temporary lack of human and financial resources necessary to assimilate the range of legal considerations, establish performance metrics, and conduct outreach and trainings, etc. The new well permitting process has been functioning and running well, but this may not have been the case at the time the Grand Jury's investigation was conducted.

***The Board of Supervisors agrees with the Director of the Department of Planning, Building and Environmental Services and County Executive Officer.***

**Finding 8.** The GSA has only just begun to address groundwater issues via the GSP. However, most public and private groups and agencies feel the plan needs to be implemented as soon as possible.

***Response of Director of the Department of Planning, Building and Environmental Services and County Executive Officer. We strongly agree with the finding that the GSP needs to be implemented as soon as possible. We disagree with any characterization that GSP implementation has not already begun.*** In fact, County staff contend implementation began immediately upon GSP adoption in January 2022.

An early and significant GSP implementation action occurred in June 2022. During the June 7, 2022, Board of Supervisors meeting, the Director of PBES explained that while the Governor’s EO N-7-22 (issued on March 28, 2022) catalyzed the need for changes to the County’s well permitting procedures, the EO was by no means the only factor contributing to that need. Other factors included: recent court decisions including public trust considerations, the County’s own drought emergency and significantly, the GSP itself. The Director noted that PBES needs to be “*very nimble and very responsive as conditions change both for the environment and the regulatory area*” and recommended that the County revise its well permitting procedures along with a concomitant change to the water use criterion from 1 acre-feet /acre to 0.3 acre-feet /acre.

On June 7, 2022, the Board of Supervisors unanimously accepted the Director’s recommendation to revise groundwater well permitting procedures, including the reduced water use criterion and reinforced considerations of mutual well interference and interconnected surface water and groundwater, where the latter considerations were already included in the 2015 Water Availability Analysis (WAA).

The new water use criterion of 0.3 acre-feet /acre for land inside the Subbasin was derived by dividing the estimated sustainable yield of 15,000 AFY by the total Subbasin area of 45,900 acres. The determination of sustainable yield was made during GSP development. In short, the Governor’s EO was a catalyst for procedural revisions necessary to satisfy multiple needs and requirements. These procedural changes were made while revisions to the County’s Groundwater Ordinance and the WAA can be made to incorporate those factors. As of January 2023, Napa County PBES requires new and replacement well permit applications throughout the County to meet new regulatory requirements. The process of updating the WAA and ordinances has begun as of July 2022.

Additional examples of GSP implementation actions are below and can also be found in Finding 6.

The follow GSP implementation activities have been completed:

- ✓ GSP PMA Project #1 - Stormwater Resource Plan (May 2023) has been completed.
- ✓ The Technical Advisory Group (TAG) was formed and appointed – Eleven (11) meetings have been held since the first meeting in August 2022 and will continue.



- ✓ Four dual-completion groundwater monitoring wells were installed in Spring 2023 (equaling 8 new wells in total) for the purpose of enhancing understanding of interconnected surface water and groundwater at four sites around the Napa Valley Subbasin (i.e., Bale Lane, Rutherford Road, Petra Drive and Jefferson Street).
- ✓ Three or more potential (additional) monitoring sites are being evaluated for the purpose of installing more wells to advance understanding of groundwater-surface water interactions.
- ✓ Ongoing twice yearly (October and April) monitoring of approximately 115 public and private wells and dedicated monitoring wells in the County’s monitoring network (some monitoring wells are monitored monthly, and 18 dedicated monitoring wells are (or will soon be for the new wells) monitored continuously (two-hour interval)).

GSP implementation activities underway include efforts related to the following Projects and Management Actions (PMAs):

1. GSP PMA/Project #1 Managed Aquifer Recharge, through development of the Stormwater Resource Plan and assessment of Subbasin areas that have physical characteristics suitable for potential recharge. Additional evaluation of potential recharge areas will involve consideration of other factors.
2. GSP PMA/Project #2 Expansion of Recycled Water Use.
3. GSP PMA/Management Action #1, the Napa County Water Conservation Workplan: A Guide for Vineyards, Wineries and Other Sectors, is under development with numerous public meetings to receive input from the TAG and stakeholders.
4. GSP PMA/Management Action #2, the Groundwater Pumping Reduction Workplan is under development with numerous public meetings to receive input from the TAG and stakeholders.
5. Interconnected Surface Water and Groundwater Dependent Ecosystems (GDEs) Workplan is under development with numerous public meetings to receive input from the TAG and stakeholders.
6. GSP PMA/Management Action #3, revisions to the County’s Groundwater Ordinance and 2015 Water Availability Analysis. Modifications to the WAA process and water use allocations were initiated in July 2022 in response to EO N-7-22. Further modifications and revisions to the Groundwater Ordinance are in development.
7. Public outreach and community engagement.

***The Board of Supervisors agrees with the Director of the Department of Planning, Building and Environmental Services and County Executive Officer.***

## **RECOMMENDATIONS**

**Recommendation 1.** By December 31, 2023, the Board of Supervisors will fill current gaps in groundwater usage data by expanding groundwater monitoring in key locations and initiate and enforce procedures to enhance data collection from agricultural and residential users.

***Response of Director of the Department of Planning, Building and Environmental Services and County Executive Officer: The recommendation has been implemented.*** Four dual-completion monitoring wells were installed in the Spring of 2023, but opportunities for expansion will be an ongoing effort (see discussion in Background and also Finding 8). Groundwater level monitoring does not by itself provide accurate information on groundwater usage. As noted in Finding 6, many efforts are underway to develop refined information on groundwater use. The recommendation to initiate and enforce procedures to enhance data collection from groundwater users has been initiated but will take significant time to fully implement. Staff will continue to apprise the public about the progress of this recommendation.

***The Board of Supervisors agrees with the Director of the Department of Planning, Building and Environmental Services and County Executive Officer.***

**Recommendation 2.** By June 30, 2024, the Board of Supervisors in conjunction with all 14 public and 20 private water districts consider creating a single County-wide agency to oversee groundwater management.

***Response of Director of the Department of Planning, Building and Environmental Services and County Executive Officer: The recommendation requires further analysis.*** The County cannot unilaterally require that other local governments and private districts consider an action, much less within the specified timeframe. As several of the entities rely on water from the North Bay Aqueduct, it also involves state agencies. This is a very complex issue that affects the majority of all water users within Napa County. Examination of the pros, cons, level of effort and funding required to effectuate such an outcome will require further analysis.

***The Board of Supervisors agrees with the Director of the Department of Planning, Building and Environmental Services and County Executive Officer.***

**Recommendation 3.** By December 31, 2023, the Board of Supervisors will create and implement a plan to increase awareness of groundwater preservation strategies through the education of winery and vineyard owners and managers, farmworkers, landscapers, and residential users.

***Response of Director of the Department of Planning, Building and Environmental Services and County Executive Officer: The recommendation has been implemented.*** As described in the response to Finding 6, the GSA has undertaken numerous efforts to increase public education, outreach, and awareness of water conservation. The GSA is also in the process of developing the Napa County Water Conservation Workplan: A Guide for Vineyards, Wineries, and Other Sectors, as well as the Groundwater Pumping Reduction Workplan, to be completed by the end of 2023. See also Findings 5 and 8.

***The Board of Supervisors agrees with the Director of the Department of Planning, Building and Environmental Services and County Executive Officer.***

**Recommendation 4.** By June 30, 2024, the Napa County Planning Department will enable more effective communication with applicants during the permitting process.

***Response of Director of the Department of Planning, Building and Environmental Services and County Executive Officer: The recommendation has been implemented.*** In addition, opportunities for continued improvement exist and will continue to be explored. The applicants submitting well permits are licensed well drilling contractors as required by the California Well Standards and Napa County Code. During review of well permits over the last year, Environmental Health staff have communicated more closely with parcel owners than in previous years, but correspondence is primarily with the well drilling contractors submitting the application.

During the implementation of the changes triggered by the Governor's EO N-7-22 in March 2022 (and other factors noted in Finding 7) and then following the Board of Supervisors acceptance of procedural changes in June 2022, conversations with the well drilling contractors working in Napa County occurred over the phone and during one-on-one meetings to discuss the overall requirements and project-specific requirements in particular. As new information was published, electronic mail was sent to well drilling contractors with handouts and information to help them understand the process.

***The Board of Supervisors agrees with the Director of the Department of Planning, Building and Environmental Services and County Executive Officer.***

**Recommendation 5.** By June 30, 2024, the Napa PBES research and communicate to the GSA the number of new or upgraded wells, their output, and the number of storage tanks.

***Response of Director of the Department of Planning, Building and Environmental Services and County Executive Officer: The recommendation has been partially implemented.*** As described in response to Finding 1, PBES staff only just completed an exhaustive effort to confirm the existence of and map the locations of all wells in the County (to the extent historical state and county records were available) and created a GIS layer with the locations identified. County staff will, on an ongoing basis, review any new or newly obtained records and revise the well count accordingly. The recommendation to report the number of storage tanks is not warranted or reasonable for the reasons provided in response to Finding 1.

***The Board of Supervisors agrees with the Director of the Department of Planning, Building and Environmental Services and County Executive Officer.***