

2023-2024 Final Report

Sonoma County Civil Grand Jury



Sonoma County Civil Grand Jury Final Report 2023-2024

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Para leer los informes del Gran Jurado Civil 2023-2024 en español, visite
<https://sonoma.courts.ca.gov/general-information/grand-jury/grand-jury-reports-responses>

Reports issued by the Civil 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 Civil Grand Jury.

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF SONOMA**



Shelly J. Averill
Presiding Judge
(707) 521-6726

Hall of Justice
600 Administration Drive
Santa Rosa, CA 95403

June 11, 2024

Dear Members of the Sonoma County Civil Grand Jury,

I have reviewed the investigative reports and recommendations that will comprise the Civil Grand Jury final report for the 2023-2024 fiscal year. I find that the final reports comply with Penal Code section 933.

The Sonoma County Civil Grand Jury serves our community as stewards of the efficiency of our local government. The Sonoma County Civil Grand Jury demonstrated a strong commitment and dedication to the responsibilities required to perform those duties diligently and impartially throughout the 2023-2024 term. You served a unique and vital role in conducting investigations that led to intelligent, thorough and thoughtful reports that will serve to educate our community about their local government and provide recommendations for improvements to local government.

Each member of the Civil Grand Jury served an important role and is commended for their outstanding service and commitment. A special thank you to the foreperson, Robert Hunter, for his exemplary leadership, guidance, and organization provided to the grand jury.

On behalf of the Sonoma County Superior Court, I thank you for your collaboration, dedication, and commitment to the important role you served in our community in completing the work of the Civil Grand Jury.

It is with great pleasure that I thank you for your service on the Sonoma County Civil Grand Jury. Congratulations on the completion of your report.

Sincerely,

A handwritten signature in black ink, appearing to read "S. Averill", is written over a horizontal line.

Shelly J. Averill
Presiding Judge



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Last July, I asked my new fellow jurors two questions: “What does success look like at the end of our term?” and “How ambitious do we want to be?” These reports are the answer. We developed a long list of topics and settled on five. Investigations are largely a series of questions and answers that lead to more Q & more A until there are either no more questions or no more time.

The reports are as good as we could make them in the time we had... which was less than expected, because County Time is different. County Time isn’t like real world time: it’s like Island Time, only slower. Much, much slower. Questions that should take minutes to answer can take hours, sometimes days. Complex questions that should have taken days turned into weeks or, in a couple of notable cases, months. A few questions weren’t answered at all, even though they were asked of multiple people in multiple departments across many months of real-world time.

There are many reasons why County Time is special, and we certainly didn’t learn all of them. It’s a topic of interest among people who work for the County, too: most of the folks we met are hardworking, intent on doing a good job, and justifiably proud of their work. All the more frustrating, then, to find out that there’s plenty of work, not so much workflow. Great intentions that don’t match up with allocated resources, and “this is how we do things” requirements that stifle innovation.

The commercial world operates by different rules: there are objective performance requirements, penalties for failing to achieve them, and economic incentives for extraordinary performance. It was a bit shocking to learn what life is like when those things are missing, and it’s possible the surprise will leak through in some of these reports. Be assured that underneath that feeling, we collectively admire the dedication and commitment of most of the people we met; they do the best they can, sometimes under very difficult circumstances, often helping people in desperate need—on your/our behalf. Our conclusions and recommendations ask the people in charge to take a hard look at their own performance; consider the things *they* do that constrain their staffs; and start asking why all this work isn’t leading to more, and better, and faster, or even cheaper, results.

I’m expected to say, “It’s been a privilege, and a lot of work, to lead a dedicated group of citizen volunteers”, and both of those things are true. I won’t list all the special effort made by some of these folks; they know I’m grateful, and if you knew the effort they made, you would be too. But it should be noted that Ed Berberian, foreperson pro tem – the guy we all turned to for “can we do this?” and “what do the rules really say?” – also bought all the donuts. We couldn’t have gotten through this without his common sense and uncommon wisdom. Thanks, Ed! And thanks to all of you who put in the effort; we did good work together.

Rob Hunter
Foreperson, 2023-24

“Democracy’s a very fragile thing. You have to take care of democracy. As soon as you stop being responsible to it and allow it to turn into scare tactics, it’s no longer democracy....”—
Sam Shepard

Election Integrity in Sonoma County

Recent polls confirm what many Sonoma County citizens might suspect: there is a growing concern within the United States that our democratic institutions have deteriorated over the past two decades. A 2023 Brookings Institution report identified election manipulation as a core concern. Furthermore, a 2023 AP/NORC poll reported that only 44% of the American public had a great deal—or even quite a bit—of confidence that votes in the 2024 presidential election would be counted accurately.

The 2023-2024 Sonoma County Civil Grand Jury (Grand Jury) determined that the question of whether Sonoma County elections were tainted by manipulation of any sort was a timely question worthy of investigation.

The Grand Jury examined all aspects of the County’s election process: voter registration, creating and distributing ballots, managing the receipt of completed ballots, verifying the authenticity of returned ballots, accurately counting all ballots, and sending certified election results to the California Secretary of State.

Our goal was straightforward: determine whether County elections are conducted in an impartial and equitable manner that is consistent with California and federal law, and that would be seen as fair by an objective observer. In short, we aimed to answer the question, “Does our county’s election process have ‘integrity’?” where we define that term as meaning that *all persons who are eligible to vote can do so freely and without unreasonable constraints, that all ballots are accurately counted, and that all persons who are ineligible to vote are prevented from doing so.*

The Grand Jury notes that all 58 California counties are bound by the state’s Election Code. The Grand Jury has no authority to examine state law or the policies that frame the law but is permitted to examine the manner in which Sonoma County executes those laws.

The Grand Jury notes that, as a matter of overarching policy, California’s election laws are designed to make voting as accessible as possible, while maintaining appropriate controls to ensure that unqualified persons do not vote. This approach is in distinction to the approach adopted by some states, where “election integrity” is pursued by imposing restrictions on who, where and when a ballot may be cast. The Grand Jury believes this difference may be illustrated by a comment related to criminal justice made by John Adams in 1770¹: “[We] are to look upon it as more beneficial, that many guilty persons should escape unpunished, than one innocent person should suffer...” The analogy is clear: the core principle of California’s election law is to vigorously defend the right of every eligible person to vote, even if that protection incurs a small but manageable risk of allowing a few bad actors to succeed.

¹ The comment was made when Adams was defending British soldiers from charges following the Boston Massacre. Benjamin Franklin reiterated the point in 1785 when he wrote “...it is better 100 guilty Persons should escape than that one innocent Person should suffer.”

METHODOLOGY

This investigation was self-initiated by the Grand Jury.

The Grand Jury conducted more than a dozen interviews with individuals who are or were involved in the County's election process, including members of several non-governmental public service organizations and local leaders of the two major political parties.

The Grand Jury also reviewed documentation provided by the Registrar of Voters office (ROV²) and the California Election Code. In addition, members of the Grand Jury toured the ROV offices and observed election procedures being executed in support of the March 2024 primary election.

DISCUSSION

The essential purpose of this investigation was to determine whether County elections are executed in a manner that an objective person would consider fair and unbiased—in other words, that the election process has integrity as previously defined.

The Grand Jury quickly realized that the election process, even in a relatively small County, consists of many interrelated moving parts—multiple separate functions that must be executed accurately and within strict timelines to ensure that all aspects of the process are in place and fully validated in time to support an election.

The multidimensional structure of the overall election process is reflected in the structure of this report, in which each major section addresses either an integral component of the election process or a subject that is important to the process.

County elections are executed with a high degree of integrity.

The essential question of this investigation is straightforward: are County elections free of bias, undue influence, corruption, or other irregularities that could or potentially have altered the outcomes of our elections? After examining all aspects of the election process, the Grand Jury's conclusion is that our elections are, in fact, free of any such defects—that ROV conducts elections in accordance with the Election Code, and with effective management controls over all election processes and procedures.

The Grand Jury cannot say with absolute certainty that none of the ballots counted in the recent election were cast illegally. We *can* say with a high degree of confidence that if any illegal votes were counted, this happened despite the exacting processes rigorously enforced by ROV. These processes make it extraordinarily difficult to cheat the system, and we are reassured that the votes counted are virtually certain to have been cast by people who were legally entitled to do so.

The remainder of this report examines the component elements of the overall election process that, in aggregate, support this conclusion.

ROV manages elections with consummate skill and dedication.

ROV has the statutory responsibility of ensuring that state election laws, regulations, and procedures are properly implemented during an election. Accordingly, the Grand Jury examined in detail how ROV's duties were executed, with particular emphasis on adherence to prescribed procedures and, importantly, appropriate management oversight and controls designed to quickly identify, isolate, and

² This report uses the acronym ROV as a reference to the Sonoma County Office of the Registrar of Voters, not the elected individual who serves as the Registrar of Voters.

resolve any questions or problems that may occur. The Grand Jury notes that details regarding conduct of 2024 elections may be found in the [Sonoma County Registrar of Voters Election Administration Plan](#) (EAP), dated September 2023. This plan, which must be submitted for review and approval by the California Secretary of State, is readily available on the [ROV website](#).

The Grand Jury also notes that ROV does not suffer from the staffing shortages and employee turnover problems that have been widely reported as affecting other County departments. ROV staff consists of dedicated, experienced professionals who know their jobs well. However, the very experience of ROV staff does contribute to a minor problem: ROV management identified keeping local procedural documentation current as an issue because 1) knowledgeable staff do not often need to refer to written documentation, and 2) updating routine documentation is often a low priority administrative task. The Grand Jury notes that while procedural documentation is not generally necessary, its importance can be magnified under unusual circumstances, such as when new or supplemental employees must be brought in due to unexpected absences.

A brief description of some key aspects of conducting an election follows:

- **Voter Registration:** To register to vote in Sonoma County a person is required to be a US citizen, a resident of California, and be at least 18 years of age by Election Day. In addition, anyone currently serving a state or federal prison term for conviction of a felony, or who has been found mentally incompetent by a court of law is disqualified from registering. The Grand Jury found that ROV follows all applicable requirements and procedures for processing voter registration applications.
- **Ballot creation and distribution:** ROV validates that all requirements for appearing on a ballot have been met by a candidate or a measure. Once all ballot entries have been verified, ROV prepares templates that are delivered for printing. [California Assembly Bill 37 \(the Universal Vote by Mail law\)](#), signed into law in fall of 2021, requires that all registered voters be sent a ballot in the mail in all elections. However, voters have a choice: they may use the ballot mailed to them or may instead vote in person at any Vote Center. The Grand Jury also notes that all Vote Centers must have Accessible Ballot Marking devices specifically designed for use by people who need special assistance.
- **Ballot collection:** When the polls are open, ballots are collected from Vote Centers nightly and from Ballot Drop Boxes per a prescribed schedule. Vote by Mail ballots are collected by ROV directly from the United States Postal Service (USPS). Ballot chain of custody is strictly enforced, which means that at least two people must always be present with the ballots during collection and transport. Ballots are always maintained in locked and sealed containers. All Vote Centers are closed, and Ballot Drop Boxes are locked, at precisely 8:00 p.m. on Election Day (while accommodating voters who are waiting in line at that time). By law, Vote by Mail ballots are counted if they are *postmarked* (not simply placed in a USPS mailbox) on or before Election Day. The Grand Jury notes that California law allows any voter to designate any other person to deliver their ballot for counting via any legal means.

- **Signature Verification:** All Vote by Mail ballots undergo a manual signature verification check³. This check is performed by ROV staff in accordance with training provided by the Federal Bureau of Investigation (FBI) for the task. When a signature cannot be verified, curing processes are invoked, which always include voter notification to explain what must be done to resolve the issue within a defined timeline.
- **Ballot counting:** Regardless of how a voter returns their ballot, when it has been received by ROV it is then electronically scanned and tallied. The counting process includes multiple in-process checks to ensure that the number of ballots received matches the number of ballots processed. Furthermore, one week following an election, 1% of the ballots are randomly selected for a manual verification tally.
- **Ballot Retention:** ROV secures all ballots and envelopes, and retains them for 22 months, after which time they are destroyed.
- **Continuous process improvement:** Following every election, ROV management and staff conduct an internal review meeting. Things that worked well and issues that were identified during the election cycle are discussed, evaluated, and incorporated into ROV procedures as deemed applicable.

ROV installs and maintains a secure technology infrastructure that is dedicated to supporting the election process.

In the November 2022 general election, Sonoma County had 304,017 registered voters, 200,347 of whom cast ballots. ROV had a statutory duty to distribute, collect, validate, and count these ballots within reporting deadlines set by the California Secretary of State. This task had to be accomplished with a permanent staff of 18 people, supplemented by 18 part-time employees and six field service officers.

Technology is a critical component of secure elections; without it, the task would be impossible to complete within the legally mandated timelines. But the use of technology begs a critical question: Is that technology trustworthy? We are reminded daily that the benefits of modern technology come at a price: bad actors know how to exploit technology to their benefit and at our expense. Given this, the Grand Jury examined the technological systems and tools used by ROV, with particular emphasis on the security and trustworthiness of these systems. The following essential points resulted from this examination:

- The vote-counting machines used by ROV are kept in a secure room. Access to this room is limited to ROV staff, and to visitors and observers (including members of the Grand Jury) under supervision.
- The vote-counting machines are not connected to any external data networks (e.g., WiFi or cellular), which means that they are not vulnerable to internet-delivered malware. To hack the machines' software, a perpetrator would have to gain physical access to the machines; these machines are always kept in securely locked rooms and two authorized people are required to be present whenever anyone accesses them.

³ As the Grand Jury observed, signature verification is accomplished while the ballot is still in the privacy envelope; no one in the ROV office can see what votes were cast at this point in the process.

- Software updates to the machines are delivered by a USB-connected storage device, a thumb drive. All software updates are prepared by the California Secretary of State's office and must be retrieved in person by an authorized ROV official. The physical drive is uniquely indexed in a manner that ensures the correct software is installed on the intended machine, making it highly unlikely that illegally modified software could ever be installed. All software updates are verified to confirm that each machine received its intended update. This process uses tools that have been provided by the Secretary of State's systems developers for this purpose.
- ROV conducts publicly witnessed Logic and Accuracy (L&A) tests prior to every election, shortly after the machines have been configured with refreshed software. The L&A test consists of preparing approximately 1,600 sample ballots that have been printed for the purpose and that mimic all physical characteristics of live ballots. In summary, the Logic portion of the test is designed to verify that all machines are reading all ballots, and the Accuracy portion of the test is designed to ensure that votes were read as marked. The counts produced by the machines are compared to known final tallies: each test batch is run through every machine to confirm that the tallies are as expected. L&A tests are open to the public, and various interested groups including representatives of the Democratic Party, the Republican Party, and the League of Women Voters were present (along with members of the Grand Jury) during the test conducted on February 8 this year.
- The Grand Jury notes that during the February 8 test the first four ballot readers were completely accurate, but two of the six produced invalid results. In response, technical servicing was performed, and a subsequent test proved the accuracy of the last two machines. Full certification was completed (with public monitors on hand) on February 15. These events confirmed both ROV's focus on ensuring that election technology was working correctly and the efficiency with which errors are identified, isolated, and corrected.
- ROV has a dedicated and closed data network that is accessible only to the voting systems and the few computers that are needed to manage the data they produce. All these devices are in one room, and connectivity is accomplished by hard wiring —physical cables that run between machines. There are no internet or wireless connections for this network. In addition, ROV access to the machines is managed by a software access-control system that prevents unauthorized user accounts from accessing the voting machines. Access is monitored by ROV technicians to ensure that the limited number of accounts with voting-machine access is accurate, and that only authorized users are online. The same system also monitors all attempts to access the protected machines and generates automated alerts if an unauthorized access attempt is detected.
- The room that houses ROV technology systems is protected by a physical access control system that only allows entry by employees with registered credentials. The room is under constant video surveillance, so that ROV management may access a live feed or visual record of who accessed the room and what they did while in the room.

ROV employees and election poll workers have been, and continue to be, targets of abusive behavior and physical threats.

A May 2022 report published by the Brennan Center for Justice⁴ found that within the United States “one in six election officials have experienced threats because of their job” and that “77 percent say that they feel these threats have increased in recent years.” Sonoma County is not immune. Sources

⁴ <https://www.brennancenter.org/our-work/research-reports/estimated-costs-protecting-election-workers-threats-physical-violence>

within ROV related multiple instances of having received threats, including an explicit reference to the potential use of firearms.

Fair elections must be conducted in an open and transparent environment. However, this very openness means election workers are exposed and vulnerable, a concern that has substantially increased since the 2020 election. The Grand Jury believes that the County owes election workers a duty of care that acknowledges and responds to this elevated risk profile.

The Grand Jury has included some recommendations associated with this finding but emphasizes that they are exemplars for the actions that we believe should be taken, not an exhaustive or static list of solutions. The Grand Jury acknowledges that the factors concerning physical security in the election environment are dynamic and therefore require constant review. Similarly, the solution set for ensuring physical safety of election workers must necessarily evolve to reflect changing risk factors.

The Grand Jury also notes that ROV participated in a recent meeting with the County Emergency Management Department and law enforcement agencies that resulted in several recommendations related to physical security. The Grand Jury further notes that recent upgrades have been made to ROV facility specifically to enhance the physical security profile of the building. Notwithstanding these upgrades, the Grand Jury believes that both the physical threat mitigation profile and the overall efficiency of ballot processing would be enhanced if ROV were moved to a larger and more defensible facility.

The County, in short, must, to quote John F. Kennedy, "... bear the burden of a long twilight struggle, year in and year out ...", a never-ending fight to stop those who would attack democracy by attacking those who enable it.

Citizen poll workers are an essential resource in conducting elections.

As previously noted, conducting an election is a labor-intensive undertaking. The requirements for activities such as staffing 31 Vote Centers (each of which requires a minimum of four people: one Inspector and three Clerks) would quickly overwhelm ROV's full-time staff. The answer is found by inviting citizens to directly support and participate in the election process as poll workers, either as Inspectors or as Clerks.

Poll workers must meet requirements prescribed by the California Election Code. Inspectors must be registered California voters. However, permanent legal residents residing in California and high school students who are at least 16 years old may work as Clerks. All poll workers must attend training sessions that are offered both online and in person.

An important observation is that poll workers are used solely to staff Vote Centers. Only ROV employees may execute ballot processing procedures (e.g., verifying signatures and feeding ballots into the vote counting machines).

Being a poll worker is a way to serve the community and take an active role in democracy. It should also be mentioned that poll workers are paid a stipend in compensation for their time.

ROV supports public outreach and education.

The Grand Jury notes that ROV is the County's main advocate and educator about the electoral process, including the need for active participation and engagement.

Evidence of ROV's engagement in this role includes:

- ROV provides and maintains an informative and user-friendly website and distributes educational materials through multiple physical channels.
- ROV livestreams ballot processing activities throughout the election vote tallying.
- ROV offers tours upon request for schools, civic groups and clubs interested in a behind-the-scenes view of elections.
- ROV provides speakers for group functions desiring information about the election process.
- ROV conducts training for those interested in organizing a voter registration drive.

Public interest would be served by creating a comprehensive election results database.

Open elections are the hallmark of a healthy democracy, and access to historical election results is a natural extension of the public's right to view and compare election data. ROV preserves a massive amount of election data but is not currently capable of making this information available for public review and analysis. This lack of capability is not for want of desire; the Grand Jury was informed of initial attempts to consolidate data for the purpose of deeper examination using the tools at hand (e.g., capturing data in Microsoft Excel spreadsheets). These efforts could not succeed given the massive amounts of information available, and the lack of time and specific technical expertise within existing ROV staff.

The Grand Jury believes that the value of an election-results data repository goes far beyond academic interest. We believe that significant public benefit would result from enabling members of the public to answer questions such as, "For a given voting precinct, how many school bond issues have been on Sonoma County ballots over the past 20 years, and what were the outcomes by measure?" or "Compare the results of Board of Supervisors contests over the past 10 years between multiple specified voting areas." Access to this type of in-depth analysis of historical voting patterns would be, in the view of the Grand Jury, a quintessential element of election transparency.

The Grand Jury also believes that execution of this effort would not necessarily be constrained to hiring commercial technology contractors. We believe that excellent resources to support the project may be found at local colleges in the form of both undergraduate and post-graduate students volunteering time to collect, organize, and capture source data.

Democracy thrives because of many factors, one of which is an informed citizenry. The Grand Jury believes that approving and funding a publicly accessible election information repository would put Sonoma County in the forefront of supporting this goal.

CONCLUSION

The Grand Jury believes that those of us who live in Sonoma County have reason to be grateful for many things. We fully recognize that the county is not perfect by any means, that we collectively face many problems yet to be solved. But we also recognize that we have the benefit of being able to openly discuss (and debate) our problems and to take the most direct action available to a free people when we don't like what our elected leaders are doing: vote for someone else—freely, openly, and without fear of government reprisal. In short, we live in a place where democracy thrives.

It is the considered opinion of the Grand Jury that the Registrar of Voters office does an excellent job of managing and protecting our cherished right to vote, and the Grand Jury commends it for a job consistently well done. The fact that the county's voter turnout (measured as the percent of registered

voters who cast ballots) is consistently among the highest in the state speaks volumes: we believe that if people have an inherent distrust of an election process, they generally don't bother to participate⁵.

The Grand Jury also commends the time and energy spent by public groups, including (in alphabetical order) the Democratic Party, the League of Women Voters, and the Republican Party, in observing the election process and asking intelligent and probing questions about our election processes and procedures.

The Grand Jury is keenly aware that, by any reasonable measure, the democratic institutions and traditions that most Americans have long taken for granted are under attack. In the minds of some, the notion that all political power is (and, by right, ought to be) vested in the public is outdated, a relic of the past.

The Grand Jury urges our fellow citizens to recognize that our ability to control our destinies through fair and impartial elections is no accident: it results from our active participation in the election process. Nor should we blindly presume that democracy just happens—that we can afford the conceits of misguided indifference or self-indulgent, unwarranted cynicism. We can, and should, recognize that our political processes are not perfect, but also that we can, and should, use the power of voting to constructively address our problems.

Embracing indifference will, in the long term, invite the undoing of our most fundamental right: choosing who will lead us.

The Grand Jury urges all Sonoma County citizens, regardless of political persuasion or preference, to participate in every election. Do not be an idle spectator of an activity that can only thrive with active engagement.

COMMENDATION

The Grand Jury commends all employees of the Sonoma County Registrar of Voters office and the citizen poll workers who devote countless hours in ensuring that County elections are conducted in an open and unbiased manner.

⁵ The California Secretary of State reports that in the 2022 General Election there were 304,017 registered voters in Sonoma County and 200,347 ballots counted, a 65.9% turnout rate. This compares favorably to the state's overall turnout rate of 50.8%.

FINDINGS

The Sonoma County Civil Grand Jury determined that:

- F1. There are no material flaws or uncorrected defects (e.g., machine errors, fraudulent ballots being cast, or miscounting votes) that impair the overall integrity of the election process. The Grand Jury also finds that while ROV executes all procedures effectively, there are nonetheless documentation gaps that lead to situations where institutional knowledge is not entirely committed to paper.
- F2. ROV executes prescribed election procedures with proper management controls in place to ensure full compliance with all applicable requirements.
- F3. ROV ensures that the technology systems and services, including information security and cybersecurity measures, used in an election are properly installed, maintained, and validated for accuracy before all elections.
- F4. ROV employees and Vote Center poll workers have been subjected to abusive behavior and to direct and implied threats of physical violence in the past and may be exposed to similar threats in the future. ROV's threat mitigation profile would be enhanced (and operational efficiency would be streamlined) if ROV was moved to a larger and more defensible space.
- F5. The citizen poll workers who contribute many hours of service during an election are an indispensable ROV resource whose continued support is essential.
- F6. The current state of election integrity found in Sonoma County did not occur by accident, but rather by the continued interest and active engagement of a majority of Sonoma County citizens who register and vote.
- F7. ROV promotes transparency through community outreach and communication with the public leading up to and after an election.
- F8. While ROV carefully preserves the results of all elections, it has neither historical data collection nor reporting capability that would enable comprehensive analysis of past election results.

RECOMMENDATIONS

The Sonoma County Civil Grand Jury recommends that:

- R1. By September 1, 2024, ROV develop and begin execution of an ongoing process designed to ensure that internal procedural documentation is created and kept current.
- R2. By June 30, 2025, the Board of Supervisors develop and approve a long-term plan to provide ROV with a facility that better accommodates space and physical security requirements.
- R3a. By August 31, 2024, the Board of Supervisors and ROV develop and implement a plan for enhancing existing ROV security measures and developing new security measures based on recurring threat assessments and recommendations by qualified authorities.
- R3b. By July 31, 2024, ROV create and maintain a record of all incidents of abusive or threatening behavior to support future risk and threat assessment analysis.
- R3c. By July 31, 2024, ROV evaluate all recommendations that resulted from its meeting with the Emergency Management Department and establish an implementation schedule for the recommendations it adopts.
- R4. By December 31, 2024, the Board of Supervisors allocate resources for a project to create a publicly accessible Sonoma County elections database to enable ready access to, and analysis of, past election results.

REQUIRED RESPONSES

Pursuant to Penal Code §§ 933 and 933.05, the grand jury requires responses as follows:

- Sonoma County Board of Supervisors (R2, R3a, R4)
- Sonoma County Registrar of Voters (R1, R3a, R3b, R3c)

The governing bodies indicated above should be aware that their comments and responses must be conducted subject to the notice, agenda, and open meeting requirements of the Brown Act.

Is Fire Safety a Priority in Rural Sonoma County?

PROPERTY DEVELOPMENT IN HIGH FIRE HAZARD ZONES

The devastating Sonoma County wildfires of 2017-2020 are behind us, but there is continued public concern about potential danger, destruction, and death in future wildfire events. Wildfires threaten people, property, and first responders; the risk is magnified when roads are too narrow for an incoming emergency vehicle to pass people fleeing a fire.

The safety of the
people shall be
the highest law.

Marcus Tullius Cicero
103 – 43 BCE

The State of California amended its fire safety regulations in 2020 to reduce risk to first responders. The [California State Minimum Fire Safe Regulations](#) [FSR] added a prohibition of new development on roads deemed too narrow for simultaneous ingress and egress of emergency vehicles and civilian traffic. Another amendment reduced the number and scope of permissible exceptions to road-width requirements, thereby limiting local authorities' flexibility for issuing new development permits on roads that don't comply with the standards.

Sonoma County has its own Fire Safety Ordinance, [Chapter 13 of the Municipal Code](#). The latest version was adopted December 6, 2022 and replaced a 2020 ordinance. A significant change in the County ordinance is the inclusion of the following language: "The 2022 California Fire Code as adopted by reference and amended in this article, shall constitute the county fire code." Why is this significant? Because it isn't in previous versions of County fire safety ordinances. It's a representation that the County commits to following State law; everything in the following report relies on that commitment.

In spring of 2023, a group of Sonoma County residents made a formal complaint to the Sonoma County Civil Grand Jury regarding the County's amended fire code. The complaint states that California fire safety regulations now require local government to restrict property development where limited access roads in high fire-risk areas put property owners and firefighters at risk. The complaint alleges that Sonoma County continues to authorize development in violation of State law, and that County permitting officials and County Counsel have refused to explain why the County continues to issue these permits.

The Civil Grand Jury investigated these allegations and concludes that Permit Sonoma is fulfilling its obligation to evaluate the safety conditions for new construction permits on one-way and dead-end roads. It also concludes that in making these determinations, Permit Sonoma works with local and regional fire officials in accordance with statutory requirements. We found no evidence that County or fire safety leaders weren't being transparent: both types of officials were willing to discuss the laws as written, the underlying concerns—which are very real—and their approach to resolving the issues.

So why would the Grand Jury publish this report? These new State laws highlight safety issues that affect first responders and citizens every time there's a fire, and we believe that calling attention to the discrepancy between the statute and our local ordinance is in the public interest. Interpreting statutory requirements and/or liability is beyond the scope of the Civil Grand Jury; it's the province of the Court. However, the Grand Jury is concerned about the extent to which private property owners have been informed of the development restrictions in the State fire safety regulations. As this report will outline, statutory limits on new development may require permitting restraint that materially devalues hundreds or thousands of Sonoma County properties—or, if ignored, could put

first responders at additional risk whenever new development is authorized on a road that doesn't meet State minimum fire safety standards.

STATE FIRE SAFETY REQUIREMENTS

Fire safety law in California is contained in dozens of statutes ranging from the Penal Code to worker health and safety regulations to the State Building Code. The principal law governing property development and fire safety is detailed in the California Board of Forestry and Fire Protection's [State Minimum Fire Safe Regulations](#).

There are more than 2,500 words in the State law, but this report will focus on only a few of them:

- A **Dead-end Road** has only one point of vehicular ingress/egress.
- A **One-way Road** is a road, no more than half a mile long, that connects to two-way roads at either end.
- **Defensible Space** is the area within the perimeter of a parcel or community where wildland fire protection practices must be implemented, including the establishment and maintenance of emergency vehicle access and fuel reduction.
- **State Responsibility Area (SRA)** means areas of the state in which the financial responsibility of preventing and suppressing fires has been determined by the board to be primarily the responsibility of the State.

Why do these words matter?

Fire safety rules for property development are specifically restrictive depending on where the road is, and which type of road serves the property. California state law says *two-way roads* in the SRA must have at least two 10-foot-wide lanes and “provide for two-way traffic flow to support emergency vehicle and civilian egress.” *One-way* roads must be at least 12 feet wide (and no more than 2,640 feet long) and connect to a two-way road at either end. *Dead-end* roads have various length restrictions, maxing out at one mile in areas zoned for 20-acre minimum lot sizes (and are considerably shorter for areas with higher-density zoning). *All* roads must provide safe and *concurrent* access for emergency fire equipment and civilian evacuation, and they must provide unobstructed traffic circulation during a wildfire emergency.

Who Enforces the Law?

That's more complicated. The California State Fire Marshal is charged with implementing the statute but is allowed to delegate this authority to local fire-safety officials and, as is the case in most of Sonoma County, local fire officials in turn have delegated their permitting and inspection authority to Permit Sonoma for applications in the unincorporated areas of Sonoma County. All nine cities in the County have retained this role for themselves.

Permit Sonoma is the entity that issues new construction permits in Sonoma County, including the “State Responsibility Area.” It does this work because local, regional, and State fire safety teams chose Permit Sonoma to do this work. (If the fire safety hierarchy wanted to take back this authority, it could.) And finally, the California Attorney General is responsible for prosecuting any violation of the State fire safety regulations.

“But, but... wait a minute! MY house is on a dead-end road that isn't 20 feet wide. Do I have to move? Or pay to have the road widened?”

No, of course not; homes permitted prior to passage of the amended requirements in 2020 are legacies, and neither you nor the County are required to widen your road. The requirements only apply to new construction permits issued after the statute changed in 2020.

THE COMPLAINT

The citizens' complaint: several applicants wanted to build new structures on narrow dead-end roads. Permit Sonoma issued building permits for this new construction, allegedly in violation of the State Minimum Fire Safe Regulations of the California Code of Regulations

¹. In particular, the complaint specifies six locations where concurrent vehicle ingress and egress isn't possible, on roads that fail to meet the State requirements for width and/or length of access roads in high and very high fire-hazard areas.

Did Permit Sonoma Issue New Construction Permits in High Fire Risk Zones?

Yes! Quite a few of them, actually.

So, Permit Sonoma broke the law?

Well, no. It's more complicated than that.

THE FACTS AS THE GRAND JURY FOUND THEM

Permit Sonoma has, in fact, issued permits for development on roads that don't meet State FSR definitions for permissible one-way and dead-end roads; this county has hundreds of roads that don't allow for concurrent ingress and egress of fire safety equipment and civilian traffic. But the language of the statute *may* let Permit Sonoma work around this significant restriction: it also states that the authority having jurisdiction may, following inspection of any issues with concurrent ingress and egress, grant an exception to the requirements if:

- A permit applicant can satisfy local fire safety officials by providing adequate mitigation.
- The permitting agency inspects the access road to determine whether the proposed mitigation would be acceptable.
- Local fire safety officials are notified of the intent to grant exceptions, and
- Local fire safety officials concur (or don't object) to issuance of the permit.
- Parcels defined prior to 1971, whether or not a structure had been built, are exempt.

What kinds of mitigation will be adequate? This is determined on a case-by-case basis, but ranges from clearing roadside vegetation, to adding wide spots in the road, to making sure that visibility allows two-way traffic with clear views. The number of prospective workers or residents is another consideration: developments that will significantly increase the population on the road are considered differently than developments that will involve small numbers of additional people on site.

The Grand Jury explored the subject of mitigation in conversations with Permit Sonoma and all the large county fire protection districts. Fire district representatives were all Fire Marshal rank or above. Without exception, they agreed that mitigation was an acceptable and pragmatic approach to a complex issue. However, we have also learned that mitigation options are not publicly recognized or completely described in public-facing documents or in online documentation. Only Sonoma Valley Fire District could point the Grand Jury to a section on its website that codifies, in plain English, the mitigation approach that has been described to us by Permit Sonoma and several other fire districts. This is the only time the Grand Jury has seen a fire district's policies and procedures for approving mitigating factors in permitting clearly spelled out.

¹ California Code of Regulations Title 14, Division 1.5, Chapter 7, Subchapter 2

HOW THE GRAND JURY INVESTIGATED

The Grand Jury started by reading and rereading the complaint – which sounds obvious, but the complaint had more than 20,000 words of supporting documentation, so it took some time. We then considered the underlying laws, and the minutes and supporting documentation of State Board of Forestry and Fire Protection meetings discussing major amendments to the State Fire Safety Regulations. Armed with what seem to be contradictions between State FSR and Sonoma County ordinance, we moved on to discussions with a broad range of subject matter experts including representatives of the State Board, the State Fire Marshal’s Office, local and regional fire safety officials, and representatives of local permitting agencies. These documents and discussions provided valuable context.

Ordinance: a law set forth by a governmental authority - specifically: a municipal regulation (e.g., Sonoma County)

Statute: a law enacted by the legislative branch of a government (e.g., the State of California)

Merriam-Webster Dictionary

HOW DID THE DIFFERENCES BETWEEN STATUTE AND ORDINANCE OCCUR?

The **State Board** is charged with determining and administering California’s fire safety regulations. The **Department of Forestry and Fire Protection** (CAL FIRE) is the entity that actually fights fires; the **State Fire Marshal** heads the part of CAL FIRE responsible for fire protection and enforcing fire safety regulations.

Prior to December 2020, local fire safety ordinances were “*certified*” by the State Board, ensuring that the County was compliant with State requirements. Sonoma County’s 2017 Fire Safety Ordinance (which predated the October 2017 Tubbs Fire) included a provision that applications for new construction—on roads that didn’t meet county fire safety standards, would only be allowed if Permit Sonoma granted an exception due to mitigation providing the “same practical effect” as state fire safety law. *The State Board certified Sonoma County’s 2017 Fire Safety Ordinance.*

Following the major fires in 2017, 2018 and 2019 in Sonoma County and elsewhere, the State Board debated and eventually adopted several more-restrictive statutory provisions, including eliminating a turnout every quarter of a mile and, significantly, eliminating the use of “same practical effect” as a basis for granting exceptions. In other words, the statute went from “Do this, or something pretty much like it” to “Do this. No exceptions.” The changes to state law, while subtle, were significantly more restrictive; in consequence, Sonoma County’s 2017 ordinance was no longer fully compliant with state law. The Sonoma County Board of Supervisors then proposed a new ordinance to the State Board—and the State Board refused to certify it.

Sonoma County wasn’t the only county with concerns about the new state regulations; at least two other counties filed similar proposed ordinances and were denied certification. Sonoma County pushed forward, and in November 2020 communicated its intent to request certification even though State Board staff said they wouldn’t endorse the proposed certification—leaving it up to State Board members to either hold the line on the Board’s regulations or certify an ordinance that staff reported was noncompliant with the new state law.

The State Board found another path: stop certifying local ordinances! That decision left Sonoma County free to pass its own ordinance. In effect, the State shifted responsibility to the County, making it choose between two seemingly bad options:

- deny permits because the roads are non-compliant with the FSR and risk litigation for ‘taking’ property development rights; or
- approve new permits on roads that don’t meet FSR requirements, and risk future legal challenges to these permits based on the discrepancy between statute and ordinance.

The citizen’s complaint included correspondence between Sonoma County officials and the State Board demonstrating that the County wanted fewer development restrictions in its local ordinance than the State Board required in its amended law. A review of these documents with State Board personnel was consistent with our interpretation.

The citizens went on to complain that:

1. The County is allowing new development on unsafe roads in fire-prone areas.
2. The County has put public and firefighter safety at risk by applying exceptions and exemptions that do not follow the State FSRs
and
3. The County has knowingly ignored dead-end road-length limits by allowing new development on existing roads and these requirements cannot be waived via exception.
4. The County has misused the exception mechanism regarding minimum road width.
5. The County has violated FSRs by not limiting exceptions to structures within a single development parcel.
6. The County is allowing agricultural exemptions on roads that are not solely used for agriculture, mining, or timber.

GRAND JURY OBSERVATIONS AND CONCLUSIONS

As listed above, the complaints received by the Grand Jury fall into two groups:

- public and first responder *safety is at risk*; and
- *specific provisions* in the State Fire Safety Regulations *are being violated*.

We investigated each of these classes of complaint categorically: safety questions were discussed at length with local and State fire safety officials; transparency questions were addressed with permitting personnel; and specific allegations were considered by looking at the types of mitigation that professional first responders found to be acceptable—and by asking, “what do you do when there’s a problem?” Here’s what we learned:

Public and Firefighter Safety Concerns:

1. The County is allowing new development on unsafe roads in fire-prone areas.
2. The County has put public and firefighter safety at risk by applying exceptions and exemptions that do not follow the State FSRs.

The State FSR is clear: there should be no new development on roads that don’t allow concurrent vehicle ingress and egress unless local fire safety officials sign off. This ignores the many billions of dollars of undeveloped property on ‘noncompliant’ roads in the State of California: enforcement that precludes all new development might be politically impossible. We asked fire safety officials how they reconcile this conundrum, and the answers were effectively unanimous: new development is a consideration, but not the issue. None of the respondents felt that local permitting agencies were

adding significant public or firefighter risk with the new development that has been authorized since the FSR was changed in 2020.

As one fire chief noted: “It’s the firefighter’s burden” to keep the public safe in inherently unsafe conditions. Road width and dead-end length are issues regardless of permissions to build typical new structures. Construction of buildings that materially increase the amount of traffic or the number of people on site calls for more substantial mitigation, and in some cases has been denied when suitable safety mitigations couldn’t be identified. Every fire safety official we interviewed was quick to acknowledge that substandard roads are common; that first responders recognize this risk and do their best to communicate these risks with each other in advance of response; and that permitting officials engage fire safety officers in construction permit reviews when unsafe conditions are present. Every one of them said that they believed the local permitting officials were doing the job as expected and required.

Public safety, however, is a separate consideration; there is no practical way for a Grand Jury to determine whether the public interest will be better served by more restrictive development than the County currently requires (but the State seems to demand). That’s a political matter which Grand Juries are expressly precluded from considering and a legal question that the Courts may someday be required to answer. Either way, it isn’t something this Grand Jury will address.

FSR-Specific Issues in the Complaint

3. The County has knowingly ignored dead-end road-length limits by allowing new development on existing roads and these requirements cannot be waived via exception.
4. Sonoma County has misused the exception mechanism regarding minimum road width.
5. The County has violated FSRs by not limiting exceptions to structures within a single development parcel.
6. The County is allowing agricultural exemptions on roads that are not solely used for agriculture, mining, or timber.

Fully investigating these complaints requires a deep dive into the language of the laws. For those who wish to understand the arguments, the appendix of this report links to the applicable sections of the statute and the ordinance; the language is materially different.

Issue 3. Dead end road length limits are being ignored:

According to the FSR, dead end roads can’t be more than one mile long when zoning requires 20 acres or more per parcel, and as zoning density goes up, allowable road lengths get shorter. According to the complainants, the County is granting development permits on long dead-end roads—such as Los Alamos Road in eastern Sonoma County—and any new development on these roads is precluded by law.

Observations: Road length limits were a feature of our discussions with fire safety officials, none of whom expressed any additional concern about new development on dead end roads. *All* housing on roads like this (and there are many in the county) is a problem for first responders; however, none of the chiefs we spoke with said restricting new development would materially improve first responder safety.

Issue 4. Exceptions are being granted for minimum road width:

The FSR language is clear: two-way roads need to be at least 20 feet wide, and one-way roads need to be at least 12 feet wide (and cannot be longer than ½ mile); either way, shoulders are also required which means additional hardscape width.

Observations: There are many, many roads in this county that don’t meet these requirements. Trying to identify them all would take concerted effort from a GIS (Geographic Information System)

mapping team armed with geospatial image recognition tools and a great deal of patience. Enforcing these constraints would also severely limit future residential and agricultural development in the County.

These requirements are difficult to mitigate. Many of these roads are private; the status of shared maintenance agreements is unknown; and the cost of making a substandard road wide (or short) enough to meet the requirements is substantial.

Issue 5. Exceptions and Exemptions are granted in violation of statute:

An *exemption* is a circumstance that means statutory requirements do not apply. An *exception* is an alternative to a standard that may be necessary (due to health, safety, and physical site limitations or other conditions) to mitigate a problem. There are several possible “Exceptions” that allow development in circumstances that would otherwise violate the State FSR.

Observations: This is the essential incongruity between statute and ordinance. The statute limits “Same Practical Effect” *exceptions* to mitigation of “Defensible Space” so *very* few permits for development in high fire risk areas are allowed by statute. The County ordinance is less restrictive: it interprets the definition of “Same Practical Effect” to allow mitigation plans in more cases, even when FSR road width and length limits preclude them.

The State FSR defines “Same Practical Effect” this way:

§ 1270.01. Definitions: (aa) Same Practical Effect: As used in this subchapter, means an Exception or alternative with the capability of applying accepted wildland fire suppression strategies and tactics, and provisions for fire fighter safety, including:

- (1) access for emergency wildland fire equipment
- (2) safe civilian evacuation
- (3) signing that avoids delays in emergency equipment response
- (4) available and accessible water to effectively attack Wildfire or defend a Structure from Wildfire,
- (5) fuel modification sufficient for civilian and fire fighter safety.

As you can see, this is a generalized statement: the definition makes it sound like “Same Practical Effect” mitigations are allowed if they provide for fire fighter and public safety.

BUT... § 1270.07 says “an Exception to standards within this Subchapter may be allowed by the Inspection entity in accordance with 14 CCR § 1270.06 (Inspections) where the Exceptions provide the Same Practical Effect as these regulations towards providing Defensible Space...” *And this is the only place in the entire FSR where Same Practical Effect exceptions are cited.* A reasonable person might infer—as the complainants did—that the only application of Same Practical Effect exceptions relates to mitigation of defensible space requirements.

Our discussions with counsel for the State Board focused on this discrepancy; partially because it was highlighted in the complaint but also because it is the heart of the disagreement in correspondence between County Counsel and counsel to the State Board. State Board representatives were clear with us that the more restrictive interpretation was intentional: “Same Practical Effect” exceptions *only* apply to defensible space requirements. But—and it’s a big But—the State Board could have persisted in this interpretation by refusing to certify the County ordinance; instead, the State stopped certifying all local ordinances, thereby avoiding the political consequences of this highly restrictive position.

A statewide search for clarifying litigation has turned up nothing. Discussions with fire safety chiefs on this matter were no more illuminating: none of them believe that rules denying all mitigation programs would be practically acceptable. We concur.

The appendix includes links to the complete State Fire Safety Regulations and the County Fire Safety Ordinance for readers who wish to fully understand the issues and the laws.

SUMMATION

The complaint was well worth investigating, but we ultimately concluded:

- The specific allegations of new developments on roads that appear to be deficient according to the State FSR are correct, but we found no evidence that any of these developments would add material danger to inherently dangerous circumstances.
- The statutory requirements defined by the State Board of Forestry and Fire Protection regarding ingress and egress are clear to both fire safety officials and the Grand Jury, but none of the fire safety officials we interviewed said they believed that strict adherence to these regulations would materially benefit first responders or the public.
- There is enough ambiguity in the language of the State FSR to make it arguable that local permitting officials (and their Supervisors) have the authority to allow mitigating efforts.

The County *could* simultaneously improve public awareness of development in dangerous circumstances while increasing first responder input into permitted development on roads that don't meet the State standards. Specifically, the Grand Jury believes that Permit Sonoma can achieve both goals by requiring public notice and authoritative review of any development that occurs on a substandard road within the State Responsibility Area. Permit Sonoma has a variety of tools it can apply towards this end, ranging from simply requiring permit applicants to confirm that access roads meet FSR requirements (and propose a mitigation plan if they don't) to adding FSR non-compliance to the list of conditions that trigger formal Design Review requirements.

Permit Sonoma also can formally engage and inform fire safety officials in development of specific mitigation plans and, more importantly, include them in publications that inform the public about these dangerous conditions. Finally, we believe the public interest would be very well served by informing property owners about the inherent dangers of development on roads that will be problematic during wildfires. The County is well equipped to employ GIS technologies (now used to create parcel maps, and also to describe active wildfire boundaries) to map every road in the SRA that doesn't meet State Minimum Fire Safe Regulations. The public should see for themselves—with graphic depiction—where the risks are, and the improvement in first responder safety will make these recommendations a win for everyone.

FINDINGS

- F1. Sonoma County's Fire Safety Ordinance permits "Same Practical Effect" mitigation within the SRA that is inconsistent with the Grand Jury's interpretation of the State Minimum Fire Safety Regulations.
- F2. Permit Sonoma is permitting development exceptions within the State Responsibility Area that are not congruent with the Grand Jury's interpretation of the State Minimum Fire Safety Regulations.
- F3. Fire Safety mitigation approvals are considered by Permit Sonoma on a case-by-case basis during the permit application process but are not always publicly noticed or reviewed when issued.
- F4. Citizen and first responder safety is properly considered during permit review and approval, and local firefighter leadership believe that Permit Sonoma is doing its job appropriately.

RECOMMENDATIONS

- R1. By November 1, 2024, the Board of Supervisors will direct Permit Sonoma to publish an applicant's guide to fire safety ingress and egress requirements and mitigation procedures for applications on roads that don't meet FSR requirements.
- R2. By November 1, 2024, the Board of Supervisors will direct Permit Sonoma to include administrative review of *all* exceptional fire safety mitigation plans to the list of permits needing approval by either Permit Sonoma [Design Review Committee or Permit Sonoma Project Review Advisory Committee](#).
- R3. By November 1, 2024, the Board of Supervisors will direct Permit Sonoma to meet and confer with all independent Fire Prevention agencies to review its mitigation and appeal procedures by February 1, 2025.
- R4. By November 1, 2024, the Board of Supervisors will direct Permit Sonoma to identify and map all roads within the SRA that don't meet State FSR standards and publish that map on the County Department of Emergency Management website by February 28, 2025.

REQUIRED RESPONSES

Pursuant to Penal Code §§ 933 and 933.05, the grand jury requires responses as follows:

- Sonoma County Board of Supervisors (R1, R2, R3, R4)

The governing body indicated above should be aware that their comments and responses must be conducted subject to the notice, agenda, and open meeting requirements of the Brown Act.

APPENDICES

California [Board of Forestry & Fire Protection](#) [State Minimum Fire Safe Regulations](#)

[https://govt.westlaw.com/calregs/Browse/Home/California/CaliforniaCodeofRegulations?guid=I67C78930A76C11ED82EDF8F326A06467&originationContext=documenttoc&transitionType=Default&contextData=\(sc.Default\)](https://govt.westlaw.com/calregs/Browse/Home/California/CaliforniaCodeofRegulations?guid=I67C78930A76C11ED82EDF8F326A06467&originationContext=documenttoc&transitionType=Default&contextData=(sc.Default))

[2017 Sonoma County Fire Safety Ordinance 6184](#)

<https://mcclibraryfunctions.azurewebsites.us/api/ordinanceDownload/16331/804801/pdf>

[2020 Sonoma County Fire Safety Ordinance 6318](#)

<https://mcclibraryfunctions.azurewebsites.us/api/ordinanceDownload/16331/1037942/pdf>

Sec. 13-22.01 Purpose. This article is adopted for the purpose of establishing minimum fire safe standards for development within the unincorporated area of the county located in the State Responsibility Area subject to the provisions of California Code of Regulations, Title 14 Natural Resources Code, Division 1.5, Chapter 7, Subchapter 2, Article 1-5, SRA Fire Safe Regulations verbatim, or certified and the Local Responsibility Area (LRA) when authorized by Sonoma County Fire Code as amended when not subject to other regulated building standards. *Where a development subject to the provisions of this article cannot meet a specified standard, an exception to the standard may be applied for pursuant to Section 13- 23.*

[2022 Sonoma County Fire Safety Ordinance 6396](#)

The 2022 California Fire Code as adopted by reference and amended in this article, shall constitute the County Fire Code. ...

https://library.municode.com/ca/sonoma_county/ordinances/code_of_ordinances?nodeId=1187672

[Sonoma Valley Fire District mitigation plan: Alternate Materials, Design and Methods:](#)

<https://docs.google.com/document/d/1jyhuLIH0UKHuO9JZ->

Often Reported, Never Repaired

Protecting the health and well-being of individuals and the community is the fundamental responsibility of the Sonoma County Department of Health Services¹

The Sonoma County Department of Health Services (DHS) is tasked with sheltering the unhoused, providing services and treatment for those with substance use disorders, and furnishing treatment and comfort for people with behavioral disabilities and their families. Most of these services are provided by contracted local agencies, not County employees; and most of the funding comes from federal and state programs. For this system to function properly, DHS, along with other County departments, needs to employ a robust contracting and procurement process that is fair, efficient and protects County resources.

Sonoma County Grand Juries have investigated DHS in the past. In 2017, the Grand Jury looked at DHS' mental health programs and found shortfalls based on unfilled positions, a culture of retribution, a lack of transparency, low morale, and training deficiencies. The 2018-19 Grand Jury [reported](#) on a \$19 million budget deficit; findings included a faulty budget development process, inaccurate revenue projections, and revenue lost from inadequate electronic medical record and billing software implementations.

Three years later, the 2021-22 Grand Jury looked at [DHS' response](#) to the Covid pandemic. County and DHS employees were commended for individual performances, but the department's overall response was deemed problematic. The investigation reported a toxic work environment that included bullying, racial and cultural tensions, and fear of retaliation. It also reported employee distrust of upper management and DHS' Human Resources department.

The goal of this investigation was to examine and report on DHS contracting and procurement practices. However, the investigation uncovered factors, beyond fiscal management practices, that materially impact DHS' ability to manage contracts. We felt obliged to expand the scope of the report to include general DHS management practices and DHS' functional interactions with Purchasing, Accounting, the Auditor's office, and other County departments.

It is critically important, to the neediest people of Sonoma County, that the Department of Health Services fulfill its mission and responsibility; our investigation found many examples of opportunities for improvement that are shared in this report. The 2023-24 Civil Grand Jury sincerely hopes that this is the last time the Department of Health Services deserves such public examination and criticism.

¹ <https://sonomacounty.ca.gov/health-and-human-services/health-services/about-us>

METHODOLOGY

- In order to develop this report, the Grand Jury:
- Examined hundreds of documents regarding DHS and County contracting and procurement processes including RFPs, proposal evaluations, contracts, employee exit interviews, ordinances, and Board of Supervisors’ agendas and actions.
- Interviewed 18 current and former County employees and outside providers.
- Reviewed and analyzed consultant reports by Civic Initiative and KPMG.
- Reviewed and analyzed the Sonoma County [Internal Audit: Sonoma County Procurement Process](#).
- Reviewed Pisenti & Brinker “Independent Accountant’s Report” in re DEMA documentation.
- Reviewed prior Sonoma County Grand Jury Reports from 2016-17, 2018-19 and 2021-22, which examined problems within the Department of Health Services.
- Read numerous articles from the Santa Rosa Press Democrat.
- Conducted general research regarding county Department of Health contracting issues in other California counties.

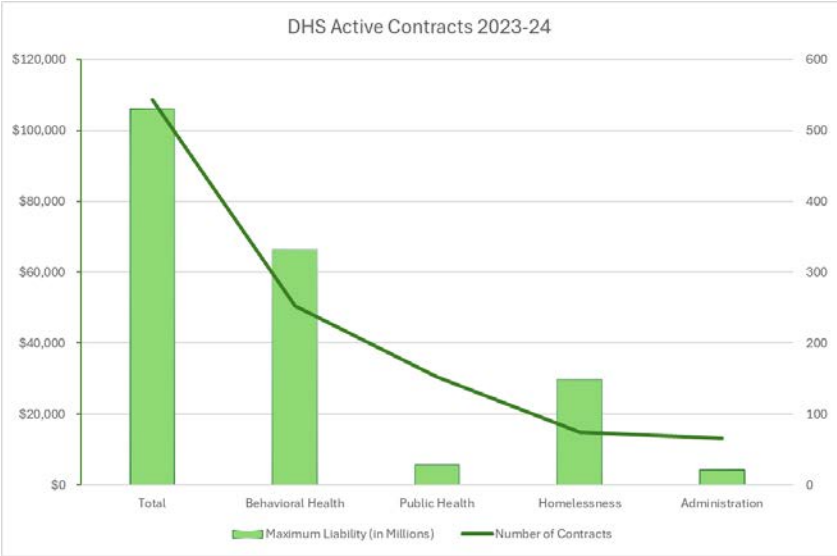
Glossary

BoS	Sonoma County Board of Supervisors
Bucklew Programs	Nonprofit organization that provides services for substance use disorders, behavioral disorders, homelessness, and suicide prevention.
CAO	Chief Administrative Officer. Top County executive, title changed to Chief
CDC	Community Development Commission
COC	Continuum of Care, now called Homeless Coalition
DAAC	Drug Abuse Alternative Center, known as CenterPoint/DAAC
DEMA	DEMA. A provider of support services for the homeless.
DHS	The Sonoma County Department of Health Services
FEMA	Federal Emergency Management Agency
LGV	Los Guilicos Village. Provides interim housing in tiny homes on the Los Guilicos
Los Guilicos Dormitories	Two dormitories, formerly part of the Juvenile Detention Center that the County is renovating to provide 120 interim beds for the unhoused.
NOFA	Notice of Funding Availability (vendor instructions for contract proposals).
RFP	Request for Proposals. Instructions to vendors for submitting purchasing
SUD	Substance Use Disorder
SVDP	Saint Vincent de Paul Sonoma County. A nonprofit that provides services to those suffering from poverty, hunger, and homelessness.

DISCUSSION

DHS contracts with many community-based organizations to provide behavioral health and homelessness services to the most vulnerable members of our community. Behavioral Health, the largest DHS division, issued 252 contracts worth \$66,364,596 in FY 2024.

We reviewed DHS’ competitive bidding and contract finalization processes; they are unnecessarily cumbersome. The published process includes 127 steps from RFP creation to signing of a contract; an internal procurement workflow document projects **22** weeks from the time the decision is made to issue an RFP to finalization of a contract: 17 weeks to develop the RFP, evaluate proposals, and obtain Director approval of the selected provider, five more weeks are allocated for negotiations, issuing Notification of Intent to Award, and finalization of the contract by County Counsel, the BoS, the Director, and the vendor. And our research confirmed that these timelines are rarely met.



In 2021, the Internal Auditor reviewed the County’s procurement practices for FY 2019-20. The report was quietly slipped onto the Auditor web site two years later—in August 2023! The Auditor found that many DHS contracts were not procured through competitive bidding. The Auditors then selected 23 DHS sole source contracts and found that none of them had been bid competitively for ten or more years, and none of them had a sole source waiver filed with the County Purchasing Department, as required by both published policy and ordinance. The Auditor found that DHS was in violation of Sonoma County Municipal Code Chapter 2, Article V, Section 2-58, BoS Resolutions, and the County Service Purchasing Agreements Policy, all of which require that contracts over \$50,000 either be competitively bid or accompanied by a sole source waiver approved by the County Purchasing Agent.

In 2022, the BoS contracted with Civic Initiatives, LLC (Civic Initiatives) to comprehensively assess the entire County’s current procurement practices and develop recommendations for improving them. In October, 2023 Civic Initiatives reported that the County’s procurement system was deficient in all ten organizational management practices surveyed. Additional recommendations were supposed to be presented to the Board of Supervisors in the Spring of 2024.

CASE STUDIES

The Grand Jury investigated six specific circumstances which reveal broader problems in DHS’ procurement processes and procedures.

Behavioral Health: Too many contracts take too long to execute.

In December 2022, a Press Democrat report alleged that DHS’s failure to execute behavioral health providers contracts on time had resulted in [meaningful payment delays to nonprofit agencies](#)²; providers should not be paid without a finalized contract. 28 contracts were still not finalized in mid-December 2022, five months after the start of the 2023 fiscal year. In several articles last fall, the Press Democrat reported, and the Grand Jury confirmed, that delayed contracts and payments for FY 2024 were once again challenging our community nonprofits.

Interviewees identified other factors that contributed to delays:

- Most contract terms are for a single year; a March 2024 report of all active Behavioral Health contracts showed that 54% of the contracts were single year or less. Increased use of multiyear contracts would dramatically decrease the overall workload.
- Inadequate delegation of authority led to long waits for approval from the highest levels of management, even for minor issues that could be handled at lower levels. Meaningful delays also occur when contracts require approval by outside departments such as County Counsel or Purchasing.
- Staff vacancies and staffing shortages led to inefficiencies, increased workloads, and employee stress, and have been a significant problem for DHS. A Human Resources report in March of 2024 revealed DHS vacancies equivalent to 148 FTEs, a 23% vacancy rate. The same report showed that the County, excluding DHS, had a vacancy rate of just 8%.

Why is DHS’ vacancy rate so much higher than the rest of the County? Retention issues are a factor. We looked at all 34 exit interviews submitted over the past three years; exit interviews are voluntary, hence responses could be biased, but the results are still compelling:

DHS Exit Interview Summary 2020-2023			
Report Years	Total Number of Exit Interviews	Reported Dissatisfied with Work Environment	Percent Dissatisfied
2020-22	32	7	22.00%
2023	12	9	75.00%
Reported reasons for dissatisfaction: <ul style="list-style-type: none">* Poor Communication* Racism* Bullying* Bad Morale* Poor Work Culture			

² <https://www.pressdemocrat.com/article/news/nonprofits-scramble-to-fund-vital-services-as-sonoma-county-falls-behind-on/>

BoS Directs that Homelessness Services be Moved into DHS; it does not go well

In 2021, the Board of Supervisors commissioned a consulting firm, KPMG, to recommend an optimal organizational plan for the County's Housing and Homelessness Services programs. The BoS asked County staff for further analysis, and in May 2022, staff advised the Board to move Homelessness Services from the Community Development Commission (an independent agency that administers funds from Federal and State sources.) to DHS. The BoS authorized this move in June of 2022, and plans were made to execute the transition in January of 2023.

Integrating homelessness support programs into the department that manages behavioral health and substance use disorder treatment programs sounds sensible, but poor execution led to a perfect storm of problems: DHS fiscal and contract development departments already had a backlog of delayed contracts—before adding homeless services contracts to their workload. The head of the Homelessness division did not start at DHS until January 2023, and other key members did not transfer until March. Requests for Proposals did not go out until February or March, which didn't leave time to finalize contracts before the July 1 start of the new fiscal year.

Other factors led to additional delays. The time needed to bring CDC contract templates up to "DHS standards" was either underestimated (or not recognized) and the impact of a newly developed approval process by the county-wide Continuum of Care was not anticipated. There was also a failure to recognize the time required to orient transferred CDC employees to DHS practices and teach longstanding CDC vendors how to deal with unfamiliar DHS document submission requirements.

Many Homelessness service providers were not paid by the County for up to five months (despite delivering services and paying employees) because contracts hadn't been re-written and approved. None of the 15 largest homeless services contracts for FY2023 were finalized before August 30, and the majority were not completed until much later in the year.

Chaotic Contracting: Los Guilicos Village (Part 1)

DHS' contracting for Los Guilicos Village (LGV) management is a good example of chaotic practices. LGV was created in January 2020 as a temporary shelter to relocate unhoused people from the Joe Rodota Trail. CDC (not DHS) awarded the initial LGV management contract to St. Vincent de Paul Sonoma County (SVDP). CDC's Homelessness Services program, including the LGV management contract, was moved into DHS in early 2023; to that point, SVDP had no contract or payment problems.

CDC had issued an RFP in December 2022 (prior to the move) soliciting proposals to manage Los Guilicos Village for two years starting July 1, 2023. Two qualified bidders responded, but no award for this RFP was ever made. On September 23, 2023—three months after the contract had been due to start—DHS notified both respondents that it had canceled the RFP.

In the meantime, SVDP continued to operate under their expired contract without payment between July 1st and the end of November. Since no RFP had been awarded, there was no contract, no purchase order, and no payment by the County. On Sept. 12, 2023, the BoS was informed that the December 2022 RFP remained under review, and the Board of Supervisors was asked to retroactively extend the prior year's contract from July 1, 2023, until October 31, 2023.

This contract extension (mostly for services already performed) was never signed by SVDP because DHS insisted that the contract extension include language regarding harm reduction retroactive to July 1, 2023—which SVDP argued was both impractical and imposed liability that SVDP had never agreed to accept. The County Controller ultimately issued payment to SVDP without an amended

contract or purchase order after numerous articles appeared in the Press Democrat. Rather than approving the agreement with SVDP just once, the BoS approved it at its Sept. 12 meeting, extended it on Nov. 28, and extended it again on March 26, 2024.

Why didn't DHS award a contract to one of the vendors that responded to the December 2022 RFP? The idea of moving residents at LGV and other homeless sites into renovated dormitories on the Los Guilicos campus happened at some point in 2023. DHS planners certainly knew it would take many months to obtain BoS approval for using the Los Guilicos Dorms, that the dorms would need work, and that this project would take *at least a year* before an orderly transition could occur. Had DHS entered into a contract pursuant to the original bidding process, significant County resources would not have been spent untangling a mess that should never have occurred.

Los Guilicos, Part 2

The Los Guilicos story gets even more complicated. In addition to LGV, the County had three other pandemic-era interim housing sites: the Ballfield trailer site at the County fairgrounds, Mickey Zane House, and the Compassion site. None of the management contracts for these three sites were competitively bid; all were awarded to DEMA under a pandemic emergency agreement.

DHS issued an RFP for "Interim Housing Support Services and Site Management" in August of 2023, noting that the County would engage one or more contractors to manage the three DEMA-run sites for three or more years. The RFP contained a clause stating that the service sites could change as plans to close temporary housing were already underway and that the vendors should be prepared to move their services to an unnamed location. (We were later told the unnamed location was meant to be the Los Guilicos Dorms.)

The ambiguous wording of the RFP (coupled with public and private DHS assurances that the Los Guilicos Village RFP was still active) led SVDP not to submit a proposal to manage any of the DEMA-run sites. The 2022 Los Guilicos Village RFP remained active until one week after the Interim Housing RFP closed to new proposals in September 2023. The overlapping timetables of these two RFPs gave SVDP no time to respond when the 2022 RFP was cancelled.

It would be patently unfair if the Notice of Termination for the December 2022 RFP was deliberately delayed; if not, closing a second RFP before canceling its predecessor is poor execution. SVDP never got the opportunity to bid for management of the Los Guilicos Dormitories site, which will replace the LG Village it currently manages. In April 2024, the BoS directed DHS to start a new competitive bidding process, thereby avoiding further public scrutiny and possible litigation by SVDP.

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DEMA: Let's All Play "Pass the Buck"!

The Grand Jury also investigated DHS's contracts with DEMA, a homelessness services provider formed in 2020 specifically to assist the County during the Federally declared Covid19 emergency. The County paid DEMA ~\$26 million for services rendered; these payments were expected to be eligible for FEMA reimbursement. However, the County may not get full reimbursement because it may have approved and paid DEMA invoices without required supporting documentation.

How did this happen? Who authorized millions of dollars of payments without the contractually required documentation? Was this a failure of contract administration, financial controls, management oversight, or all the above? Should the Controller have allowed the payments to go through? Where was the Auditor, the entity responsible for ensuring FEMA claims are filed correctly

on behalf of the County? The Grand Jury interviewed people from each of these agencies and found no one willing to take responsibility for the allegedly inadequate supporting documentation, although many were willing to find fault with others.

The County always expected to seek FEMA reimbursement for the DEMA charges. Pisenti & Brinker, engaged by the Auditor to review DEMA's invoice documentation, found that "DEMA invoices did not include the minimum essential detail required under the... (County) contracts." DHS' Fiscal unit and County Accounts Payable systems allowed payments to be authorized without confirming that the required documentation was attached; and the County Auditor allowed these invoices to be paid for a period of three years in spite of this deficiency. The lack of documentation of the DEMA invoices may mean the County doesn't qualify for a significant amount of FEMA reimbursement.

The DEMA situation was a failure of contract administration, financial controls, and management oversight. Program administrators authorizing contract payments either did not understand what documentation the contract required or failed to require that DEMA provide it. DHS Fiscal approved the invoices for payment in spite of this, and management is ultimately responsible for making sure that employees are trained in their roles and that basic systems, such as procurement and payment, confirm the existence of and keep required documentation. No one the Grand Jury interviewed has taken responsibility for this system failure or shared a plan to preclude this type of mistake from reoccurring.

The Orenda Center

The Orenda Center has been providing substance use disorder (SUD) treatment services since 1971 and was the only inpatient detoxification center in the county serving the indigent.

Centerpoint/DAAC (Drug Abuse Alternative Centers) managed the Orenda Center for twelve years until June 30, 2023. Unfortunately, the Orenda Center has been closed since July 1, 2023. The sequence of events behind this closure is tortuous and difficult to understand:

- In August 2021, DHS issues a Request for Proposals for detox facility management, to start on Jan 1, 2022, with a term of 18 months.
- Competitive responses are reviewed in October 2021, and Centerpoint/DAAC (DAAC) and Buckelew Programs (Buckelew) are chosen as finalists.
- No award is made in 2021, however, so DAAC continues to operate the Orenda Center on a series of contract extensions that eventually become contentious.
- In February of 2023—13 months after the award winner is supposed to start managing the Orenda Center—Buckelew is quietly notified it will be the winner. No one tells DAAC it's lost the competition until May 31, 2023—just 30 days before its last contract extension expires.
- In order to become the facility operator, Buckelew needs a license from the State and the Orenda Center needs renovations that have to be done before the State license review begins. None of this work starts prior to July 1st, 2023.
- As of June 1st, 2024, the contract between the County and Buckelew still isn't signed; it's not clear whether Buckelew's operating license is complete. But the Orenda Center has been closed since July 1, 2023 and still doesn't have an opening date, 11 months after closure.

Recognizing the extended upcoming closure of the Orenda Center, the County arranged for patients going through withdrawal to be transferred to Buckelew Programs' Helen Vine Center in Marin County. Unfortunately, the County did *not* implement a monitoring program to ensure that patients needing detoxification services were not falling through the cracks.

We have questions:

- Is there really no way to transfer licensed facility management responsibility without a multi-month facility closure?
- If it *does* take up to six months to complete the State review needed for a facility license, how can the County ensure that services are available locally during this process?
- How many people in need of detoxification services chose not to go to Marin County?
- Why was there no public Notice of Intent to Award the contract to Buckelew?
- Why has it taken more than a year for the Orenda Center to transition from Centerpoint/DAAC to Buckelew management?

CONCLUSION

The Grand Jury focused on the Department of Health Services' procurement processes in this investigation. We found a poorly functioning process with a history of violations of County policies and ordinances. For many years, DHS often entered into no-bid and sole source contracts without filing a required sole source waiver. DHS' RFP process is lengthy and cumbersome and often not completed in a timely manner, resulting in significant delays in service startup and vendor payments. Process issues include imprecise contract and RFP language, RFP cancellations after months of delay, and poor or misleading communication causing vendor uncertainty. Staff shortages, which have in part been blamed on a toxic work environment, aggravate the department's problems with timely performance.

The BoS and the Auditor have been notified of management and procurement issues at DHS for many years, and these types of problems continued during this Grand Jury's investigation. An inordinate amount of DHS, Auditor, County Administrator and BoS staff time and money has been spent straightening out the tangled web of problems caused by these systemic failures, and when DHS has problems, real people suffer.

The Grand Jury notes that the Homelessness Services Division may have gotten off to a better start with their FY2024-25 contracts: the contract package is scheduled to be presented to the BoS this June. However, it is our understanding that a significant number of DHS' behavioral health contracts will not be ready for signature prior to the start of the new fiscal year.

The Grand Jury hopes that the recent change of administrative structure, wherein DHS reports directly to the County Executive Officer rather than the BoS, will improve DHS operations. Further, we look forward to the County implementing the recommendations suggested by consultants Civic Initiatives, hired by the BoS to review the entire County's current procurement practices. The Grand Jury encourages the County Executive, the Auditor, the Purchasing Agent and particularly the BoS to continue to support DHS in its efforts to build a fully staffed and highly functioning department.

FINDINGS

The Grand Jury finds:

- F1. DHS contracting practices and procedures are chaotic, inefficient, and take too long. This results in delayed execution of contracts, delays in vendor payments, and local County health services missing for extended periods.
- F2. DHS processes for procurement needs identification, RFP generation, and competitive sourcing take too long to execute and aren't clearly competitive.
- F3. Chronic short staffing and employee turnover have led to a significant loss of institutional knowledge.
- F4. Inadequate delegation of authority and a toxic work culture inhibits individual decision-making and contributes to DHS's failure to perform effectively.
- F5. DHS Fiscal and County general accounting process doesn't require or retain all information needed for post-fact analysis of who is being paid, whether the payment was the result of a no-bid contract, or whether payment documentation matches funding source requirements.
- F6. County Purchasing and Internal Audit failed to require that DHS follow mandated procurement policies.
- F7. The BoS failed to require changes to DHS procurement procedures despite published reports that DHS has been violating County procurement policy.

RECOMMENDATIONS

The Grand Jury Recommends:

- R1. By December 31, 2024, DHS will initiate regular public reports of the programs for which an award has been or is intended to be made (including those programs without a contractor), the contracts in effect, the date of execution of every contract, the contract term, and explanations for any contracts not executed prior to the effective service start date (F1, F2).
- R2. By November 1st, 2024, DHS and County Human Resources departments shall submit a recruitment and retention plan to the County Executive to reduce DHS vacancies to no more than 10% of authorized non-field positions. (F3, F4)
- R3. By December 31, 2025, the Board of Supervisors will request, and County Auditor will complete and publish, a comprehensive audit report on DHS procurement processes and procedures, contract administration oversight and compliance with County procurement policy and publicly present said report to the Board of Supervisors. (F1, F3, F6, F7)
- R4. By January 1, 2025, County Purchasing and the County Controller shall implement a system that ensures all no-bid and sole-sourced contracts are identified, accounted for as such, publicly reported, and have required supporting documentation and waivers on file. (F3, F4, F5 F6)

REQUIRED RESPONSES

Pursuant to Penal Code §§ 933 and 933.05, the Grand Jury requires responses as follows:

Sonoma County Department of Health Services (R1, R2)

Sonoma County Department of Human Resources (R2)

Sonoma County Board of Supervisors (R3)

Sonoma County Auditor-Controller- Treasurer-Tax Collector (R3, R4)

Sonoma County Purchasing Division (R4)

The governing bodies indicated above should be aware that their comments and responses must be conducted subject to the notice, agenda, and open meeting requirements of the Brown Act.

INVITED RESPONSES

Sonoma County Executive (R1, R3, R4)

BIBLIOGRAPHY

2018-2019 “The Behavioral Health Budget; A Perfect Storm” Final Report Sonoma County Grand Jury

2021-2022 “Dedication Overcame Dysfunction” Final Report Sonoma County Grand Jury

Sonoma County Taxes & Spending

How much do Sonoma County residents pay in taxes, how is that money spent, and how hard is it to answer these questions?

The public is entitled to the information it needs to make informed judgments about taxes and government spending. In the words of Thomas Jefferson:

“wherever the people are well informed they can be trusted with their own government . . . and if we think them not enlightened enough to exercise their control with a wholesome discretion, the remedy is not to take it from them, but to inform their discretion.”

Are we paying for a Cadillac and getting a Yugo, or vice versa? As it stands, this question is impossible to answer. There is plenty of data about collections and spending, but it isn’t captured or presented in ways that citizens or decision-makers can use. How much is being spent on homelessness in Sonoma County—does anyone know? The 2020-2021 Civil Grand Jury asked the County that question, and it took almost three years to get an answer. (Read this report to find out what we learned!)

Government transparency doesn’t inform. In fact, disclosure rules followed scrupulously—as they almost always are by State and County employees—make it difficult to know how much is collected and impossible to know where it goes. For example, how much is the County spending for mental health services? No one can tell you; the cost is spread among dozens of line items in half a dozen agency and nine city budgets. Are you paying more or less than your neighbors for public schools? Answering that one would take a lot of time. When we voted for additional fire protection spending in March of 2024, did you know—*before* you voted—that it would essentially double current spending?

An informed citizenry is at the heart of a dynamic democracy.

Thomas Jefferson

Are taxes too high? That’s a policy question, and the Grand Jury doesn’t review policy. It is, however, allowed to ask how policy decisions impact local government, and we tried; the published data should provide easy answers, but it doesn’t.

Only the County has the resources to classify its expenditure data in ways that everyone can understand; the Grand Jury can’t do that. This report will, however, give you an overview of the true scope and scale of public work. It includes recommendations to make tax-and-spend information more accessible, and some insight into issues challenging government agents who are trying to deliver great public service—at very significant cost.

The Grand Jury is uniquely chartered to see that local government is operating efficiently in the public interest. Taxes and spending are big topics, and you will learn at least one thing you didn’t know—if we’re wrong, PLEASE join next year’s Grand Jury: we can use the help!

METHODOLOGY

This report was initiated in response to a civil complaint alleging a school bond oversight committee's failure to comply with statutory requirements for participation and reporting. Trying to answer those questions led to more questions about school debt and disclosure, which led to the taxes that pay for the debt, which led to ...

While investigating this report, the Grand Jury:

- Reviewed public financial records from more than 20 school districts.
- Met with many representatives of the Auditor-Controller-Treasurer-Tax Collector's offices; the County Office of Education; and the Assessor to review public records and reporting procedures.
- Reviewed public meeting records and financial reports for more than 12 County agencies.
- Reviewed more than 1,000 pages of reports published by County agencies.
- Queried the State Legislative Analyst's Office, Franchise Tax Board, and the California Department of Tax and Fee Administration.

Every source of data used to produce this report is available without a public records request.

TAX COLLECTIONS

California's tax structure has three major pillars: sales taxes, income taxes and property taxes. Everyone, even people of modest means, pays sales taxes on clothing, books, fuel, and almost every material thing purchased in the county except unprepared food. Many of us pay state income taxes, too, an average of 5.6% of income. Income tax collection skews significantly toward higher earners. Both sales and income taxes are collected by the State of California. Some of this money comes back to Sonoma County for schools, roads, health care, and a host of other public services.

People with property pay for the privilege of ownership, at rates set almost 50 years ago by a state constitutional amendment known as Proposition 13 (Prop 13). In hindsight, Prop 13 has had both positive and negative impacts: it has constrained property taxes for generations of Californians but has also created significant differences in tax burdens between older and younger, richer and poorer, and short-term vs. long-term property owners.

Voter approval is a requirement for most local taxes, but all levels of government can levy fees that are supposed to match the actual cost of services. The Grand Jury found no public records that document the cost <---> fee relationship. By statute, thousands of dollars of "[School](#)" and "[Traffic and Park](#)" fees are levied on new construction to offset the impact of new residents, but what specific costs and benefits are associated with the fee? What is the cost basis for the fees charged for local permit review, or traffic tickets? The answers to these questions could each be a report in itself, reports that may never be feasible since Grand Jury terms are only one year long.

The County levies more than 500 specific fees; the price of most of them is derived from [a consultant's study conducted in 2021](#) that determined how much County agencies should charge to reach "full cost recovery". How much does the County collect in "cost recovery" fees? We don't really know; the answer is buried in hundreds of pages of budget reports. It's certainly tens, and possibly hundreds, of millions of dollars per year.

TYPES OF TAXES (FISCAL 2023)

TAXES ON REAL AND TANGIBLE PROPERTY: \$1.5 BILLION TOTAL

The most common of the many types of property taxes are *Ad Valorem* and direct levy taxes. *Ad Valorem* taxes in Sonoma County constitute 94% of property tax collections while direct levy charges such as parcel taxes make up the remaining 6%. As the Tax Collector’s experts taught us, property taxes are complicated; the information that follows only covers a tiny amount of the detail that goes into assessing and collecting local property taxes.

Ad Valorem: Latin that translates as “according to the value of” something. In other words, *ad valorem* taxes will be a percentage of the assessed value of real property.

Basis: the assessed value of real property, regardless of whether the assessment reflects a current appraisal of market value.

GENERAL LEVY AD VALOREM PROPERTY TAX: \$1.21 Billion

The “General Levy”, established by [Proposition 13](#) in 1978, limits property taxes to 1% of 1975 assessed value with annual valuation increases limited to the inflation rate or 2% (whichever is smaller). Properties with significant new construction are reappraised at the time of construction. The elected Assessor is responsible for property valuation; the elected Tax Collector issues the bills and collects the money.

The 2017-2020 wildfires created an appraisal backlog in the Assessor’s office, and 2020’s Proposition 19 created additional workload. As of March 2024, the Assessor’s office is approximately four years behind on revaluation assessments. Revaluations will be retroactive to the construction date, a big liability for unwitting taxpayers, but a meaningful increment to school, County, and city property tax collections is coming when assessors eventually clear the backlog.

Money collected for Prop 13 property taxes is distributed to schools, local governments, and special districts according to a formula managed by the [State Board of Equalization](#). Here’s where it goes:

Prop 13 Taxes: Schools \$595 Million

Schools are the largest single beneficiary of Prop 13 property taxes. Appendix B lists annual property tax revenue for each of the County’s 40 school districts; this is a summary:

SCHOOL DISTRICT TYPE	2019-20	2020-21	2021-22	2022-23	2023-24*
Non-Basic Aid Schools	\$294,953,736	\$304,397,094	\$326,953,306	\$349,998,056	\$205,749,354
“Basic Aid” Schools	118,181,737	122,596,180	128,456,311	138,397,971	80,445,815
Santa Rosa Jr. College	65,737,894	68,183,366	72,535,523	77,791,919	45,404,558
So Co Office of Ed	25,054,940	25,698,880	27,229,942	29,153,791	16,821,287
Total, All Schools	\$503,584,445	\$520,743,629	\$555,031,698	\$595,022,967	\$349,574,406

*: Partial Year totals; final will end up 5-7% greater than 2022-23

Prop 13 Taxes: Local Government \$433 Million.

Sonoma County and the 9 cities rely on *ad valorem* property taxes for much of their funding. In total, the County and nine cities received more than \$433 million dollars from Prop 13 taxes in fiscal 2023. Property taxes are the largest single source of local government revenue.

Prop 13 Taxes: Special Districts \$125 Million

Special district agencies including fire, water, health districts, lighting and sanitation districts and other service entities are formed by local or county government. Special districts have defined

geographic boundaries and will receive an allocated portion of the Prop 13 tax collection for use within these areas. This chart summarizes Prop 13 special district taxes for the past 5 years:

Special District Property Taxes					
TYPE OF SPECIAL DISTRICT	2019-20	2020-21	2021-22	2022-23	2023-24*
County Library	\$21,761,724	\$23,078,504	\$24,403,975	\$26,138,584	\$14,996,572
Miscellaneous Districts	\$4,821,839	\$4,950,123	\$5,285,193	\$5,647,993	\$3,253,960
Resource Conservation	\$181,513	\$186,330	\$198,300	\$212,236	\$122,126
Cemetery Districts	\$545,093	\$552,764	\$588,035	\$615,503	\$350,787
Community Svc Districts	\$329,107	\$338,645	\$357,127	\$386,352	\$219,496
Fire Districts	\$33,014,478	\$33,793,252	\$35,172,362	\$37,651,374	\$21,500,774
Water Agencies	\$22,117,030	\$22,627,607	\$24,128,833	\$25,770,026	\$14,881,435
Lighting Districts	\$1,740,389	\$1,814,147	\$1,933,415	\$2,114,066	\$1,185,940
Perm. Road Divisions	\$28,609	\$29,053	\$30,736	\$35,218	\$19,836
Park & Rec. Districts	\$1,058,215	\$1,097,855	\$1,172,168	\$1,293,185	\$648,570
TOTAL, SPECIAL DISTRICTS	\$107,528,893	\$110,902,676	\$117,195,049	\$125,416,049	\$71,936,876

*2023-24 partial year; full year totals will be 5-7% greater than 2022-23

There are a few other special property taxes:

Warm Springs Dam ad valorem property tax \$12 Million

Sonoma County public water is managed by Sonoma Water, an agency that is just the County Board of Supervisors operating as a different legal entity. Sonoma Water secured rights to water in Lake Sonoma (created by the Warm Springs Dam project) in 1992, at a cost of ~\$102 million. The project was financed with bonds supported by *ad valorem* property taxes; in 2023, debt service on these bonds was approximately \$6 million dollars. Annual property tax collections for Warm Springs Dam debt service? ~\$12 million and growing (*ad valorem* taxes for fixed cost public projects increase with property value, while debt service is generally fixed or declines as debt is paid off.) The balance goes into a restricted-use fund which currently has about \$12 million in reserve.

Other non-school ad valorem property taxes

There are only three other *ad valorem* property taxes in the County. Two are being used to repay debt associated with failed health districts in Sonoma Valley and West County. In addition, Cloverdale is one of 22 cities in California allowed to use a [1985 exception](#) to Prop 13's 1% limit on property tax collections to pay for safety personnel pensions.

Prop 13 Taxes on Tangible *business* property: \$38 Million in fiscal 2023

According to the State Board of Equalization, "All property that may be seen, weighed, measured, felt, or touched, or which is in any other manner perceptible to the senses, except land and improvements, is tangible personal property." And is taxable.

In Sonoma County, tangible business property tax collections add up to approximately \$38 million per year (not counting the annual fees paid to the State for vehicle property taxes.)

A peaceful place named Shiloh.

There are [more than 700 cemeteries named Shiloh](#) in the US; [ours](#) is in a beautiful Windsor park. Founded in 1840, Shiloh is one of only two cemeteries in the county supported by a permanent Prop 13 *ad valorem* tax; Windsor residents pay ~\$600K yearly for cemetery upkeep and staffing. Reserves currently total ~\$1.5 million plus ~\$400K in endowments.

Voter Approved Local Taxes:

School District Debt Repayment and Local Parcel Taxes

General Obligation Bonds: \$1.8 Billion of debt requires \$138 Million of annual tax collections.

Each of Sonoma County's 41 Elementary, High School and Jr. College districts may ask voters to authorize bonded indebtedness for construction and improvement of school facilities; it may *not* be used for salaries and administrative expenses. Funds are raised with general obligation bonds; *ad valorem* property taxes repay this school bond debt.

As of June 30, 2023, outstanding school bonded indebtedness totaled about \$1.4 billion dollars; 34 of the 40 Sonoma County school districts had 76 outstanding bonds. Bonded indebtedness isn't spread evenly around the county: as of April 2024, (4) school districts have no outstanding debt, while 9 school districts have more than \$40,000 of indebtedness per student– and two districts have more than \$60,000 per student! [Exhibit B lists all school debt]

Lowest & Highest School District Debt in Sonoma County					
DISTRICT	# of Students 2022-23	Annual Bond Payments	Annual Payments Per Student	Total Outstanding Bond \$	Outstanding Bond Debt Per Student
Dunham	147	\$0	\$0	\$0	\$0
Fort Ross	14	\$0	\$0	\$0	\$0
Montgomery El	21	\$0	\$0	\$0	\$0
Two Rock Union	133	\$0	\$0	\$0	\$0
Liberty	1,559	\$148,000	\$95	\$883,790	\$567
West County High	1,588	\$4,507,497	\$2,838	\$80,003,953	\$50,380
Monte Rio Union	59	\$198,375	\$3,362	\$2,990,000	\$50,678
Kenwood	113	\$0	\$0	\$6,000,000	\$53,097
Geyserville Unified	211	\$1,170,809	\$5,549	\$14,188,300	\$67,243
Healdsburg Unified	1,240	\$7,610,101	\$6,137	\$111,584,301	\$89,987

Sonoma County Jr. College District has issued about \$660 million of debt; as of year-end 2023, \$400 million of that debt is still outstanding.

In total, county residents paid \$138 million of *ad valorem* taxes towards repayment of general obligation school bonds in fiscal year 2023, an average of \$2,151 per student. [See Appendix B for details.]

Parcel taxes and other direct levies: \$82 Million in fiscal 2023

Direct levy property taxes are assessed equally on all property parcels in a district. Most of the 261 different parcel taxes levied in Sonoma County pay for sanitation (\$35M), fire districts (\$17M), local schools (\$8M) and defunct health care districts (\$6M). The balance is distributed among towns and cities, intergovernmental transfers and more than one hundred town and city direct charges that, in total, add up to another \$7M.

Exceptions and Exemptions

Any report on property taxes in agrarian Sonoma County should mention property that is either exempt from tax or has substantially discounted assessments. Worth noting:

- There are roughly 187,500 property parcels in Sonoma County. Approximately 2,600 benefit from agricultural tax subsidies by contracting for [California Land Conservation Act](#) (CLCA, also known as “Williamson Act”) status.
- CLCA subsidies require [a contract with Permit Sonoma](#) (NOT the Tax Assessor, please don’t call them about it!). If approved, this results in assessment reductions of up to 95% *of just the land* value (not including the homesite or any construction on the property). Property improvements such as planted vines are also subject to property tax, albeit at a discounted agricultural rate.
- The Tax Assessor’s office estimates that subsidies for Sonoma County CLCA properties saved qualifying taxpayers approximately \$30 million in 2023.
- In 2024, the assessed value of CLCA properties and crops was \$3.7 billion; CLCA discounts resulted in a taxable valuation of \$1.4 billion for these 281,000 acres.
- [Some types of property are exempt](#) from property taxes: severely disabled veterans’ homes; churches and property used by religious organizations; non-profits operated for religious, hospital, charitable or scientific purposes; cemeteries; colleges, public and some charter schools; free public libraries and museums.
- [Every homeowner living in a primary residence qualifies for, but must elect, a \\$7,000 reduction in assessed value](#)—a \$70 annual property tax saving.

Seniors over 65 and persons receiving Supplemental Security Disability Income can be exempt from the school district *parcel* tax in these school districts: Cotati-Rohnert Park Unified; Kenwood; Petaluma; Rincon Valley; Shoreline; and West Sonoma County High School. *Eligible taxpayers must call the district and apply to be exempted.*

ANALYSIS: PROPERTY TAXES

1. Annual property tax collections of approximately \$1.5 billion are the largest single source of public revenue in Sonoma County (by a small margin over personal income taxes.)
2. The longer one owns a property, the greater the Prop 13 discount; the more valuable the property is, the greater these dollar savings over time. We don’t know *how much these discounts add up to; neither the Assessor nor Tax Collector could tell us* (and they are not required to know this to do their job). Nor do we know the effect of the recently passed Proposition 19, but it will eventually increase property valuations on affected properties. We may never know how much the Sonoma County wildfires impacted tax collections.
3. Williamson Act subsidies in Sonoma County discounted annual property taxes—by approximately \$30 million this year— but we can’t show you a map of Williamson discounted properties because (in spite of [California Government Code 51237.5 requirements](#)) [Permit Sonoma hasn’t reported it to the State](#).
4. Outstanding school bonds are the single largest type of public debt obligation in the county. One concerning observation: school bonds with a 30+ year life are paying for “technology upgrades”, many of which have a projected lifespan of less than ten years. For example,

[Sonoma County JC District spent \\$31 million](#) of its most recent bond fund on PC's, software, media equipment and other IT "investments"; these Measure H bonds mature in 2055! The JC isn't alone; many school districts in Sonoma County have used bond proceeds to pay for "technology upgrades". This results in long term debt paying for short-lived assets, which is generally considered poor financial practice.

5. Property taxes have increased by more than \$200 million between 2019 and 2023 and are likely to increase at a more rapid rate as the Assessor's office catches up with its revaluation backlog. Allocation of these revenues among governments, schools and special districts will shift as school populations decline and Sonoma County's population continues to age.
6. Sonoma County collects a lot more in property taxes, in total and per capita, than Lake, Mendocino and Solano Counties but trails Marin and Napa in per capita collections. Sonoma County schools and governments have much more money to spend than the two counties closest to us in population. Tulare County has approximately the same number of people (and 3 times the acreage) but collects almost \$700 million less in Prop 13 taxes! Here's how Sonoma County property tax collections compare to neighboring counties.

COUNTY	Population July 2022	Pop Rank	Prop 13 Tax 2023-24*	Prop 13 Per Capita	Per Capita Rank	Acreage
Sonoma	485,110	17 th	1,149,894,140	2,370	16	1,008,544
Lake	68,082	40 th	94,152,980	1,383	39	804,134
Marin	260,416	26 th	1,016,221,690	3,902	5	332,998
Mendocino	90,806	38 th	140,753,060	1,550	34	2,244,057
Napa	137,600	34 th	527,865,780	3,836	6	478,950
San Francisco	855,550	12 th	3,403,714,530	3,978	4	29,997
Solano	452,532	19 th	702,866,010	1,553	33	525,926
Tulare	474,861	18 th	463,148,420	975	54	3,087,494
California Total	39,368,613		\$81,755,686,550	2,077		104,764,800
* per State Board of Equalization; excludes voter-approved local taxes						

SALES AND USE TAXES

State Sales Tax Collections

The State of California mandates a 7¼% collection on all taxable items. 6% goes into the State general fund; roughly 4% of this 6% supports education, criminal justice, infrastructure, and other programs. 1% is redistributed to local agencies for specific programs; ½% is directed specifically to public safety, and another ½% is specifically targeted for public health. State [sales and use tax collections in fiscal 2022 totaled almost \\$95 billion](#). [Item-specific sales taxes in this state add up](#) too: in total, fiscal 2023 collections on cigarettes (\$1.6 billion) and cannabis (\$515 million) were part of state collections. There are 25 [item-specific use taxes](#). A "use tax" is collected from purchasers of items not sold through retail channels (mostly online resellers and direct distributors). Use taxes totaled about \$18.5 billion in fiscal 2023.

Local Sales Tax Collections

State law apportions 1% of the 7¼% statewide sales tax directly to counties and cities within each county. The state also sends ¼% to the County for road maintenance and transportation programs. Here's how the *baseline* 1% state sales tax was distributed to local governments in fiscal 2023:

Local Allocation of State Sales Tax Revenue

Jurisdiction	\$ Fiscal 2023	% of Total
CLOVERDALE	\$1,147,842	0.9%
HEALDSBURG	\$5,913,493	4.8%
PETALUMA	\$17,816,394	14.6%
ROHNERT PARK	\$9,866,842	8.1%
SANTA ROSA	\$46,736,167	38.2%
SEBASTOPOL	\$2,289,884	1.9%
SONOMA		\$3,817,092 3.1%
COTATI	\$2,919,213	2.4%
WINDSOR	\$5,619,962	4.6%
SONOMA COUNTY	\$26,143,198	21.4%
ALLOCATED LOCAL STATE SALES TAX	\$122,270,087	100.0%

In addition to this money, the mandated $\frac{1}{4}\%$ state collection generated about \$33 million for the County's local transportation funds in 2023.

Voter-approved County Sales Taxes: \$220 Million

As of January 2025, there will be at least eight specific sales taxes that apply to every taxable transaction in Sonoma County, adding $1\frac{3}{4}\%$ to all taxable purchases. These taxes take the baseline $7\frac{1}{4}\%$ state tax up to 9% throughout the county.

Open Space, Clean Water and Farmland Protection: $\frac{1}{4}\%$

First passed in 1990, and renewed by voter approval in 2010, the [Ag + Open Space District](#) collects approximately \$32 million per year to purchase property and/or pay for conservation easements on mostly rural properties. The Ag + Open Space Commission consists of the members of the Sonoma County Board of Supervisors, managing a legally separate entity for funding and liability purposes.

Since 1991, this tax has resulted in public purchase of approximately [\\$450 million worth of conservation easements](#), keeping 123,000 acres constrained from future development, along with approximately 4,200 acres of land owned outright by the County. [Financial reports for the Ag + Open Space commission](#) show that Ag + Open Space employs 34 people and currently has a very healthy fund balance of \$65 million.

This tax is scheduled to end in 2031, unless extended by voter approval.

Library Maintenance, Restoration, Enhancement: $\frac{1}{8}\%$

Passed in 2016, Measure Y sales tax generates approximately \$16 million per year to support 14 libraries in Cloverdale, Healdsburg, Petaluma, Rohnert Park, Cotati, Santa Rosa, Sebastopol, Sonoma, Windsor, and the unincorporated county. Expenditures are intended "to provide the residents of Sonoma County with libraries comparable to those operated in other Bay Area communities." The Measure Y sales tax supplements approximately \$27 million in Prop 13 taxes allocated to libraries.

This tax is scheduled to end in 2027, unless extended by voter approval.

Local Mental Health, Addiction and Homeless Services: ¼%

Measure O, passed in 2020 with a 10-year commitment, generates approximately \$32 million per year and provides investment into the following five types of programs:

Type of Service	Allocation
Behavioral Health facilities and services for individuals with severe mental illness; transitional housing for individuals discharged from crisis services; and a local, locked facility for emergency psychiatric facilities;	22%
Emergency psychiatric crisis services including a mobile support team with crisis assessment;	44%
Mental Health and Substance Use Disorder Outpatient Services including youth services, services supporting residential care and permanent supportive housing for homeless, and services for substance abuse disorders;	18%
Homeless and high needs individuals' behavioral health and multidisciplinary care coordination;	14%
Transitional and permanent supportive housing for the homeless.	2%

Measure O funds are managed by the County Department of Health Services and are supposed to be incremental spending, over and above programs previously supported by the County general fund. Are the amounts charged to the Measure O fund incremental? There's no way to know: the County budget doesn't include comparative spending for specific Measure O programs. For example, the [Measure O Implementation report](#) for 2022-23 says \$3.7 million funded the Sonoma County Healing Center. The facilities management contract for it was signed in May of 2020—5 months *before* Measure O passed.

This tax is scheduled to end in 2031, unless extended by voter approval.

Parks for All: 1/8%

Measure M, passed by voter approval in 2018, generated \$11 million in 2022-23 to augment County funds for regional parks and local recreation programs. One-third of the money is shared with Sonoma County's cities to maintain and improve local parks. Tax proceeds are supposed to supplement existing funding; they are not to be used to supplant an agency's historical general fund support. The measure's expenditure plan designates revenue for specific needs in four categories as follows:

Support for local parks, recreation needs and fire risk reduction	33%
Protect water quality, wildlife habitat and natural resources in Sonoma County's regional parks & trails	18%
Investing in maintenance, safety and recreation services in Sonoma County's regional parks and open	25%
Improve access to Sonoma County's regional parks trails and open space preserves	24%

This tax is scheduled to end in 2027, unless extended by voter approval.

Transportation Authority Go Sonoma: ¼%

Re-authorized in 2020 for a period of 25 years, [this tax](#) is in addition to the ¼% transportation sales tax mandated and collected by the State of California. In fiscal 2023, this tax generated approximately \$32 million in addition to the \$33 million raised by the state-imposed ¼% transportation sales tax. [The investment plan](#) includes four programs:

Fix roads, fill potholes, improve safety and usability for smooth and maintained roads	38%
Move traffic and improve safety	27%
Increase bus service, affordability, and first/last mile connections	23%
Build bikeways and pathways	12%

Has this targeted “Investment Plan” been implemented? We don’t know, and the financial reports don’t help. 38% of \$32 million, approximately \$12 million, is supposed to go to fixing potholes and making smoother roads. The County budget report shows “Local Streets” projects were allocated \$13 million but it all went to “Local Government transfers”. Presumably, this went to cities and the County for pothole repairs and better streets, but how would we know?

This tax is scheduled to end in 2045, unless extended by voter approval.

Sonoma-Marin Area Rail Transit District: ¼%

The Sonoma Marin Area Rail Transit District was established in 2002; the district includes both Sonoma and Marin Counties and provides passenger and freight train service along a publicly owned railroad right-of-way. Service started in 2017, with 10 stops along 43 miles of track between San Rafael and the Sonoma County airport; service has since expanded to Larkspur, with future stops planned in Windsor, Healdsburg, and Cloverdale.

67% of SMART’ revenue ¹ comes from this ¼% sales tax; \$32 million of the \$50 million in sales taxes collected for SMART in fiscal 2023 came from Sonoma County. [Operating revenues from fares, advertising and fees](#) totaled approximately \$2.3 million. While ridership has reportedly recovered to pre-COVID levels faster than any other bay area transit system, [the total number of trips](#) taken is expected to be less than 850,000 in 2024. Annual passenger service operating expenses, excluding depreciation and construction spending, exceed \$43 million, so the average out-of-pocket cost per passenger trip exceeds \$50.

This tax is scheduled to end in 2029, unless extended by voter approval.

Wildfire Prevention, Paramedic Services, and Emergency Response: Measure H: ½%

[Measure H](#), passed in 2024, is intended to supplement existing funding for wildfire prevention and preparedness, paramedic services, and emergency and disaster response. This tax is expected to generate approximately\$62 million annually, starting in fiscal year 2025. Practically, it will be nearly impossible to tell whether spending is truly incremental: an interested citizen would have to review the budgets for each of the 19 local fire agencies to determine whether, in total, they have increased by \$62 million. Previously existing expenses, such as *the roughly \$15 million cost of Redcom dispatch fees that were paid by the county budget*, now are supposed to be paid from the Measure H fund—which is not what voters were told what Measure H funds would be used for.

This tax never ends unless revoked by voters.

¹ State & Federal subsidies also contributed \$24.7M of SMART’s \$77.6 total revenue in fiscal 2023.

Additional Locally Imposed Sales Taxes

Cities can (with voter approval) impose a sales tax on transactions within city boundaries. Seven of the nine cities in the County have voted for additional taxes over and above the 9% county rate. Here are the locally authorized sales tax rates effective in January 2025:

Jurisdiction	Add'l Local Sales Tax	Effective Rate
SONOMA COUNTY	Baseline	9 %
CLOVERDALE	0 %	9 %
HEALDSBURG	.5 %	9 ½ %
PETALUMA	1 %	10 %
ROHNERT PARK	.5 %	9 ½ %
SANTA ROSA	.75 %	9 ¾ %
SEBASTOPOL	.75 %	9 ¾ %
SONOMA	.5 %	9 ½ %
COTATI	1 %	10 %
WINDSOR	0 %	9 %

Analysis: Sales and Use Taxes

At 9%, *Sonoma County has the fourth highest county-wide sales tax rate in California*. When Measure H is implemented in 2025, combined county and city sales tax collections will exceed \$220 million per year. All the agencies that receive specific sales tax revenue publish annual reports detailing what is done with these funds; taxpayers may, with some diligent web searching, learn how much was raised or what it was spent on. Targeted sales taxes like Measure H or Measure O or the 30-year-old Ag + Open Space tax reflect public interest at a point in time—unlike taxes going to general funds that can be redirected by leadership to address more contemporary concerns.

There is no public accounting of incremental spending for the taxes that promise it. Sales tax measures supporting libraries, parks, mental health, fire, and emergency services all promise that expenditures supported by these taxes won't be an offset to general funds—that the money raised by these taxes will be truly incremental to previous funding. Is there evidence in the public record to verify that this commitment is met? Is this funding truly incremental, or does it just enable the Board of Supervisors to direct more spending elsewhere? The Grand Jury couldn't find public reports to confirm either case.

TAXES ON PERSONAL INCOME

Personal income taxes are levied by the Franchise Tax Board (FTB), and [the FTB website](#) has an enormous amount of data about tax payments statewide. We *can* tell you, that Sonoma County residents pay more than \$1.5 billion in personal state income taxes, and that the county pays more per capita personal income taxes than all but 11 of the 58 counties in California (while ranking 17th in total population). Here's how Sonoma County personal taxes compare with neighboring counties:

Population July 1, 2021

TAX YEAR 2020-2021							
COUNTY	Population	# of Returns	Gross Income*	Median Income	Rank	Per Capita Income	Total Income Tax Paid*
Sonoma	485,110	240,700	26,099,048	54,695	10	\$53,800	\$1,448,552
Lake	68,082	25,076	1,384,520	36,266	51	\$20,336	\$45,707
Marin	260,416	124,876	36,925,128	81,474	1	\$141,793	\$2,997,960
Mendocino	90,806	38,446	2,533,225	37,890	44	\$27,897	\$106,120
Napa	137,600	65,896	10,927,045	55,192	9	\$79,412	\$692,757
Solano	452,532	205,151	16,534,844	52,651	13	\$36,539	\$658,309
San Francisco	855,550	430,462	110,817,367	73,798	4	\$129,528	\$9,559,905
Total	39,368,613	17,939,133	\$2,043,908,300	\$45,726		\$51,917	\$124,272,604

*: 000's omitted

Personal income taxes paid don't necessarily come back to the County; the State uses income tax payments to underwrite school, public safety, road construction and a wide variety of health and public welfare programs throughout the state. It's notable that Sonoma County's per capita tax payments—approximately \$3,000 in fiscal 2021—were more than 3 times the *per capita* income tax payments of 16 small counties—including nearby Lake County, whose residents only paid \$671 per person in income taxes. Income taxes correlate directly with income, of course—so Sonoma County residents are fortunate indeed to be able to help these significantly poorer locales.

TAXES ON COMMERCIAL INCOME

Grand Jury inquiries to the Franchise Tax Board (FTB) produced no information on county-specific commercial income taxes; FTB doesn't aggregate commercial income by county.

HOW MUCH IS IN THE BANK?

The Sonoma County Treasurer publishes a [monthly balance report](#) for all major agencies and reserve funds. Operating accounts can be highly variable, of course: tax collections are seasonal, while agency expenses may not be, or may be counter cyclical. Some interesting accounts reflect true reserves—for example, the \$65 million Ag + Open Space April 2024 fund balance is the equivalent of two years of tax collections. Sonoma County Library fund balance? \$14 million. 2017 Fire Debris Removal—\$95 million. Non-operating fund balances for all the school districts are also available in this report. *In total, the Treasurer manages more than \$3.5 billion in cash and short-term investments.* The Treasurer's fund balance report is highly informative. *It would be even more useful if it included an index that decodes cryptic account names so the purpose and ownership of the fund is clear.*

ADDING IT ALL UP: \$3.9 BILLION

Property, sales and use, and personal income taxes collected in Sonoma County in 2023:

Type of Tax paid in Sonoma County	TOTAL TAX YEAR 2022-23
Sonoma County Prop 13 Property Tax	\$1,219,000,000
Special District Prop 13 Property Tax	\$125,000,000
Prop 13 School Bond Debt Service	\$138,000,000
Special District & School Parcel Taxes	\$82,000,000
Business Prop 13 Property Tax	\$38,000,000
Total Property Tax Collections	\$1,601,000,000
State 6% Sales Tax Collection	\$480,000,000
Sales Tax— State Collection @ 1.25 %	\$154,000,000
County Taxes @ 1.5%	\$155,000,000
City Taxes	\$96,000,000
Total, Sales Taxes	\$885,000,000
Personal Income Taxes	\$1,449,000,000
Total, Sonoma County 22-23 Taxes	\$3,936,000,000

WHERE DOES ALL THE MONEY GO?

The first place one should look to answer this question is [The Citizens' Report](#), an annual report published by the Auditor-Controller-Treasurer-Tax Collector's office. This is the County's best effort at aggregating County revenue and expense reports in terms that people who are not finance professionals can understand; it is highly recommended. As it says in the 2022-23 report, "The Citizens' Report serves...to provide our taxpayers and stakeholders with access to County financial information."

The information in the Citizens' Report is similar to data presented here, and has valuable information, ranging from demographics and employment to balance sheet summaries, for several major agencies. *You can even learn that the County has more than half a billion dollars of unfunded pension liabilities:* "As of June 30, 2023, the pension and OPEB² Plans were 88.5% and 47.0% funded, respectively, on a market value basis...[with] combined net pension and OPEB liabilities of \$553.1 million in fiscal year 2022-23." There are even informative pie charts for County revenue and spending.

But...the Citizens' Report is limited to its focus on the County (i.e., the collection of agencies that are directly managed (and funded) by the Board of Supervisors) —and as other sections of this report show, Sonoma County is much more than the County as depicted in the Citizens' Report. The Citizens' Report says, for example, that the County has approximately \$350 million in long term debt; but that excludes more than a billion dollars of school debt, or any city debt, or unfunded pensions, or special district bonds. *Not wrong, but not complete.*

² OPEB: Other Post-Employment Benefits

There are many ways to get your own information, of course. Thanks to public disclosure requirements and the hard work of many agency and administration employees, we have VERY detailed budgets for almost every public entity in the County. The [County Budget](#) is an excellent resource: [the 2023-24 budget](#) has 438 pages (!) describing costs for every County agency and initiative. It takes months of work by many County staffers to prepare this document, and days of public hearings by the Board of Supervisors. It even wins awards from something called the Government Finance Officers Association!

Here's how the County describes the budget document:

“The budget is an operating plan that has been developed based upon policy direction given by the Board of Supervisors to provide services to the public within available resources. It is a vehicle for presenting plans and investment opportunities that will make Sonoma County an even better place to live and work. The County of Sonoma acts as an administrative agent for three sets of services: municipal services; countywide local services; and countywide services provided on behalf of the state and federal governments.”

We tried to use it as our roadmap to County spending information, and it has plenty of useful information. For example,

- The County is responsible for procuring, managing, and coordinating delivery of *more than \$2.2 billion of goods and services* on behalf of county residents.
- The County has *more than 4,200 authorized permanent positions*; it is the single largest employer in Sonoma County.
- The “General Fund” pays for locally initiated programs and the County’s contribution to State and Federal programs requiring local participation. It has grown from \$373 million in 2019 to more than \$450 million in fiscal 2024.

Here's what the budget shows as a categorical description of where the money goes:

Description	Actual 2021-22	Estimated 2022-23	Adopted 2023-24
Justice Services	\$281,921,401	\$294,927,476	\$330,031,399
Health & Human Services	496,665,375	499,300,861	537,048,396
Development Services	302,484,120	325,651,203	344,901,431
Natural Resources and Agriculture	267,400,812	378,097,459	354,907,592
Capital Projects	19,512,714	102,666,581	107,193,455
Increase to Fund Balance/Net Assets	348,977,385	147,566,274	38,182,043
Total Financing Uses	\$2,024,960,884	\$2,190,417,981	\$2,238,196,731

There are many more detailed itemizations of the department budgets that make up these very top-level totals, and you can learn a lot from them. What won't you learn?

- You won't learn how much is spent to help the homeless; there is a Homelessness Department within the Department of Health Services with a \$16 million budget, but that is a small fraction of the dollars actually spent: a conservative estimate puts the annual expenditure over \$100 million per year, and County representatives informed us that 2021-22 spending was actually closer to \$129 million.³

³ See Appendix D for more information on this budget memo

We think this is understated: the \$129 million estimate includes no costs of the Corrections Department. Based on Grand Jury dialogue with the Sonoma County Sheriff's office, at least 25% of the Corrections Department's \$80 million annual budget could fairly be attributed to homelessness services. In addition, many of the dollars spent on substance abuse programs, behavioral health services, housing assistance, sheriff's department, probation office, district attorney time... all these departments spend a significant amount of money on services for the homeless that isn't budgeted as such. Adding in a very conservative estimate of 20% of the Corrections Department costs would bring total Homelessness spending to almost \$150 million.

- Most mental health and substance use disorder programs are funded by state and federal programs but in 2020, voters approved a new sales tax, Measure O, to increase local funding for these two types of need. Since the budget doesn't provide baseline information about how much was *spent* on these programs in 2020, how can we know that Measure O spending is actually incremental?
- How much do we spend on road maintenance and repair? The Road Maintenance department has a \$90+ million budget, but that doesn't include costs reported as Executive Administration and it's not clear if it fully reflects costs funded by state or federal programs. We know that Sales tax collections for road maintenance, repair and improvement add up to ~\$62 million a year and we know that a chunk of the \$111 million in city property taxes goes to road maintenance, but there is no public report that aggregates this spending... or tells you how many potholes were fixed.
- How much are we spending on schools? *It's the single most costly government service*, yet there is no report from the County Office of Education, Board of Supervisors, or State that aggregates taxation and spending for all county schools.

Some of the answers can be approximated; for example: taxes raised by 2024 Measure H should all go to increased staffing and equipment for fire and emergency services; that's what was voted for. In the ballot language, the Tax Collector estimated that this new sales tax would generate \$60 million a year in additional funding.

How does this compare to the amount that was previously being spent? Based on public documents, it probably (roughly) doubles current spending. \$37 million of special district Prop 13 taxes and \$18 million of direct charges, added to approximately \$12 million found in various County budgets *suggest* that spending (before Measure H) on fire and emergency services was approximately \$67 million. \$62 million from Measure H in 2025 should bring this to \$129 million in 2025—but since spending across agencies isn't aggregated and published, how will we know?

Similarly with schools: Prop 13 and direct charge parcel taxes generate about \$600 million, and the State reports about \$875 million went to Sonoma County school districts, so annual operational spending for public schools in the county appears to add up to approximately \$1.5 billion—but absent an actual accounting, this is just a best-guess estimate. The Grand Jury believes that something this significant deserves more than a best guess.

Changing this paradigm will be challenging, but it's certainly possible: the Board of Supervisors can mandate it, and accountants and analysts can make it happen. The public can't make good decisions without good information; at present, the data isn't available in any manner that can be fairly reviewed or reasonably understood.

WHO’S MINDING THE STORE?

First and foremost, the Board of Supervisors is in charge: it has the authority to impose fees, propose and endorse new taxes, and recommend retention or withdrawal of voter-approved sales and special district taxes.

The BoS relies on agencies, employees, and ordinances to manage taxation and spending, but only the County Executive is charged with critical review of agency performance. There is no “Inspector General” or “Public Watchdog”. The Civil Grand Jury exists to review County operations but has no real resources for serious investigation, let alone the authority to mandate improvement.

The public also has a role: virtually all publicly approved tax measures include reference to an oversight committee that will ‘make sure the money is being spent appropriately.’

Oversight Committees

State laws establish oversight requirements for every type of voter-approved tax. Public entities with bonded indebtedness are also required to establish a “Citizen Oversight” committee. Language promising oversight is front and center in every public tax measure, but what exactly do these oversight committees do?

Oversight:

1. “watchful and responsible care”
2. “regulatory supervision”

Merriam-Webster Dictionary

Most of the time, they simply review reports prepared by independent auditors stating that accounting was done according to generally accepted accounting principles. The agency or district may (but is rarely required to) invite the committee ‘inside the lines’ to see where tax dollars went and confirm that it’s been spent appropriately. But if the public expects actual citizen oversight—defined as “the state of being in charge of someone or something” by the Oxford-American dictionary—it *is precluded by the laws that authorize the taxes*. [See Appendix C for the relevant text of recent voter-approved local taxes.]

School bond oversight committees

Similarly, oversight committees are a prominent feature of all school district bonded indebtedness proposals, but in virtually every case, the oversight committee is limited to reviewing the annual audit of bond proceeds expenditures. Some school districts engage residents on committees that develop or review proposed expenditures, but that is a local decision and there is no legal requirement for school bond oversight committees to do more than confirm expenditures were for the purposes authorized by statute.

Despite extensive and detailed statutory language requiring Citizen Bond Oversight Committees, it’s doubtful that the intent of the legislation is being realized. We surveyed a number of Sonoma County school districts regarding their bond oversight committee and reviewed financial disclosures on more than 20 school district’s websites. Few district sites have status reports for their bonded indebtedness, and even fewer have a functioning committee; many existing committees don’t have as many members as they’re supposed to. Required committee notices, minutes, and reports are rarely on district web sites.

There are two reported reasons for this general failure of Citizen Bond Oversight Committees. First, school districts are unable to recruit and retain qualified and motivated members, despite significant efforts at recruitment: who wants to sit on a committee that has no functional authority? Second, there is no negative consequence to a school district without a functioning committee as long as the district makes a reasonable effort to recruit.

Oversight, part 2: The Elected County Auditor

Oversight committees don't do much, so that leaves the elected County Auditor to look out for us. The Auditor is charged with ensuring that the public interest is represented when governments spend public money; 'Audits' are investigations of and questions about these entities' performance.

The Audit division reports to the elected Auditor; it has a public charter (ordained by the BoS) to review the accounts of county agencies and special districts. This charter establishes internal audit objectives and provides for *uninhibited and complete authority to fulfill its objectives*, with procedures to address obstacles and issues.

Accounting audits look at transaction records to confirm that they're accurate and compliant with accounting principles and are a statutory requirement whenever large sums of money are collected or spent. *Sonoma County appears to be fully compliant with these legal requirements.*

Performance audits are a comprehensive review of an entity's operational behavior to confirm that work is being done according to industry best practices and is also compliant with policies and procedures. The Grand Jury feels that performance audits are needed for real oversight—and they take a lot of time and expertise.

“Don't expect what you don't inspect.”

The source of this corporate axiom isn't certain, but it's true: without feedback, systems don't work as expected.

Sonoma County's Audit team has published 28 audit reports during the past three years. 27 of them are accounting accuracy/compliance audits. *Only [one performance audit](#)* has been completed (and it took almost 2 years to be publicly released.) Looking at [the list of completed audits](#), it's clear that most County agencies, spending significant taxpayer dollars, have *never* had a performance audit.

Why haven't more performance audits been conducted? We learned there are two reasons:

- The Board of Supervisors hasn't asked for them, and
- The Auditor doesn't have the staffing or budget to conduct them.

The Board of Supervisors sets the Audit division's budget and employee headcount authorization; it's also ultimately responsible for county agency performance and oversight. *Audits take resources, and the Audit division doesn't have enough of them.* Without a significant increase in compliance and performance audits, there can be no public assurance that the oversight promised in every tax proposal is actually in place.

TAXES LOOKING FORWARD

Property Taxes

2020's Proposition 19 changed valuation rules for inherited property and also promised substantial additional funds for firefighting—*but has produced zero dollars statewide*—for the Fire Response Fund over the past three years. It *has* added a lot of work for assessors throughout the state.

How will Prop 19 affect property taxes? They will go up quite significantly in a few years. Many formerly exempt inherited properties are now subject to partial basis revaluation, and some will need to be sold due to the impact of the mandated revaluation, thereby reducing one type of Prop 13 discount. How much will it affect tax collections? Ah... that we don't know; almost three years in, the Assessor and Tax Collector haven't produced an impact report yet.

The Grand Jury also asked the Assessor's office to estimate how the 2017-2020 fires impacted tax rolls, but it couldn't answer that question because *revaluation assessments are running years behind*. The Assessor's office never caught up with the backlog from fire rebuilds and pandemic-era home improvements and is falling further behind as Prop 19 requires revaluations that historically weren't required for inherited properties.

We know, however, that property tax collections will soon accelerate in Sonoma County. New development in Rohnert Park, downtown Santa Rosa and Petaluma coupled with the accelerating construction in Fountain Grove, Windsor, and Healdsburg (much of which will eventually be assessed at or near current market value) will add tens of millions of additional dollars to property tax collections in Sonoma County.

Sales Taxes

The State of California currently has a statutory sales tax limit of 10 ¼%; anything over that requires state legislated authorization. Voter approval of the BoS-endorsed Child Care initiative in November would mean that most Sonoma County residents will be paying 10% in sales taxes in January, 2025 and, if this initiative passes, Rohnert Park and Petaluma would hit the statutory limit in 2025.

A bit further downstream, Senate Bill 1031 authorizes a 2026 Bay Area regional transport sales tax initiative that could add between ¼% and ¾% to the sales tax rate. Sebastopol or any entity looking to increase revenue via additional sales taxes would require statutory authorization to go over the 10 ¼% limit if this regional measure is approved.

It is worth noting that *local voters have the ultimate authority* to determine whether sales taxes above 7¼% are collected. Voters can also decide that local sales taxes collected for a particular purpose can be redirected, although the process for revoking or redirecting a sales tax would probably require initiative by the Board of Supervisors.

CONCLUSION

The Grand Jury set out to investigate a simple citizen complaint about a school district's failure to follow oversight rules and ended up looking at the entire universe of taxation and spending in Sonoma County. It's a topic made for analysts: county residents pay almost four billion dollars in taxes and the Sonoma County government spends more than \$2.2 billion to provide public services, so there is *a lot* of data.

It isn't particularly hard to figure out how much is paid in taxes, but it's almost impossible to figure out where the money goes in terms that most people will understand: it's buried in thousands of pages of County, city, special district, and school documents. There is little effort to aggregate the information across government boundaries and none of these agencies have any *legal* requirement to aggregate information. But if agencies could agree on common ways to classify and share their operational data, all their jobs would be easier—and a significant public benefit would be an important byproduct.

We also learned that the Assessor's office has a backlog that is impacting current property tax collections and that is putting taxpayers in jeopardy. As assessors catch up, three or four years of delayed revaluation can add thousands and thousands of dollars to an unsuspecting taxpayer's bill. This is a solvable problem: the Board of Supervisors can give the Assessor's office the authority and budget to temporarily engage the necessary resources.

Finally, the Grand Jury learned that the two major public oversight mechanisms—citizens' committees and the County's internal audit program—are doing what they're legally required to do,

but not enough to provide actual, robust oversight. Citizen's Oversight Committees are largely restricted to reviewing post-fact accounting and have a hard time getting public participation and the County audit team doesn't have the staff or budget to expose County operational weakness before they become headlines in the Press Democrat. At least one of these problems can be solved.

An informed electorate is government's most valuable asset. The Grand Jury commends the Auditor-Controller-Treasurer-Tax Collector staff for the Citizens' Report; it's an excellent start. The Controller can help by updating EFS, the general accounting system, to facilitate functional tracking as spending occurs. Most importantly, the Board of Supervisors can lead the way by mandating improved data definition, cross-agency reporting and aggregation, and facilitating reporting integration with independent authorities like schools and special districts.

FINDINGS

- F1. The total amount and source of tax collections is not published in a useful, publicly accessible format by any government entity.
- F2. The actual amount of money being spent to address public need is not published in a useful, publicly accessible format by any government entity
- F3. The Sonoma County Office of Education publishes no report summarizing how much, in total, is being collected, spent, or borrowed to pay for public education in Sonoma County.
- F4. The County Auditor/Controller/Treasurer/Tax Collector Citizen's Report, a helpful document, doesn't answer major questions about tax revenue or spending.
- F5. The County Auditor doesn't have the resources needed to conduct performance audits throughout County government.
- F6. The County Assessor doesn't have the resources needed to eliminate a significant assessment backlog. As a consequence, many taxpayers will get hit with significant back-dated property tax bills when this assessment backlog is cleared.
- F7. Sonoma County sales tax rates are among the highest in California.
- F8. Citizen Oversight Committees are frequently inoperative, largely ineffective and have no authority.

RECOMMENDATIONS:

- R1. By December 27, 2024, the Board of Supervisors shall direct and fund the Controller to modify County financial systems such that spending classification data capture enables cross-agency categoric reporting for fiscal 2026 onward.
- R2. By February 28, 2025, the Board of Supervisors, ACTTC and County Office of Education shall jointly determine personnel and professional services needed to make the Citizens Report a comprehensive presentation of all Sonoma County property and sales tax collections and expenditures.
- R3. By June 30, 2025, the Board of Supervisors shall fund the ACTTC so the Citizens Report includes this categorized information for fiscal years 2026 and onward.
- R4. By June 30, 2025 the Board of Supervisors shall fund and authorize staffing sufficient for the Auditor to conduct appropriate performance audits each fiscal year from 2026 onward.
- R5. By December 28, 2024 the Board of Supervisors shall fund and authorize temporary staffing to enable the Assessor's Office to eliminate the assessment backlog within 12 months.

REQUIRED RESPONSES

Pursuant to Penal Code §§ 933 and 933.05, the Grand Jury requires responses as follows:

- Sonoma County Board of Supervisors (R1, R2, R3, R4, R5)
- Sonoma County Auditor/Controller/Treasurer/Tax Collector (R2)
- Sonoma County Office of Education (R2)

The governing bodies indicated above should be aware that their comments and responses must be conducted subject to the notice, agenda, and open meeting requirements of the Brown Act.

APPENDIX A: MISCELLANEOUS DETAIL ABOUT TAX COLLECTION

Property Taxes

The [California State Board of Equalization](#) (BoE) establishes and interprets [property tax rules](#).

Prop 13 (as amended by Proposition 19 in 2020) allow basis retention when property is inherited, but the difference between market and basis value is capped at basis plus \$1,000,000; anything over that is additive to the basis. It also includes provision for 55+ year old homeowners to keep their basis when purchasing a new home of greater value; up to three such transactions are allowed now.

School bonds

Such bonds are authorized pursuant to the California Constitution and must be approved by at least 55% of the property-owning taxpayers living in the school district authorizing the bonds. General obligation school bond proceeds may not be used for school district operating expenses or teacher salaries. The amount each property owner pays is an ad valorem tax, so it is based on the assessed value of the individual property.

APPENDIX B: SCHOOL DISTRICT BONDED INDEBTEDNESS & REVENUE

SCHOOL DISTRICT BONDS OUTSTANDING AS OF 6/30/2023

SCHOOL DISTRICT	DATE OF ELECTION	AMOUNT AUTHORIZED	AMOUNT ISSUED	REMAINING AUTHORIZED	PRINCIPAL REMAINING	BOND MATURITY
Alexander Valley	6/5/201	6,000,000	\$6,000,000	\$	5,440,000	8/1/2049
Bellevue Elementary	11/5/19	11,000,000	\$10,999,998	2	920,746	8/1/2024
Bellevue Elementary	11/4/20	19,000,000	\$18,999,483	517	17,381,523	8/1/2042
Bellevue Elementary	6/3/201	12,000,000	\$12,000,000	-	11,020,000	8/1/2045
Bellevue Elementary	3/3/202	28,000,000	\$17,475,000	10,525,000	14,830,000	8/1/2051
Bennett Valley Elementary	11/2/20	10,600,000	\$10,596,491	3,509	12,034,811	8/1/2041
Cinnabar Elementary	11/4/20	2,500,000	\$2,500,000	-	2,516,000	8/1/2042
Cloverdale Unified	6/8/199	4,000,000	\$4,000,000	\$	544,869	8/1/2025
Cloverdale Unified	11/2/20	17,000,000	\$16,997,406	2,594	11,713,327	8/1/2038
Cloverdale Unified	11/6/20	46,000,000	\$46,000,000	-	48,855,000	8/1/2050
Cotati-Rohnert Park Unified	6/5/199	85,000,000	\$84,996,865	3,135	11,640,000	8/1/2026
Cotati-Rohnert Park	6/3/201	80,000,000	\$80,000,000	-	74,869,505	8/1/2050
Cotati-Rohnert Park Unified	11/8/20	80,000,000	\$80,000,000	-	73,590,000	8/1/2046
Forestville Elementary	11/7/20	5,100,000	\$5,099,947	53	498,379	8/1/2030
Forestville Elementary	11/2/20	5,100,000	\$5,099,309	691	5,607,440	8/1/2042
Forestville Elementary	11/8/20	6,500,000	\$4,000,000	2,500,000	3,885,000	8/1/2046
Geyserville Unified	2/5/200	3,250,000	\$3,250,000	-	1,728,300	8/1/2032
Geyserville Unified	3/3/202	22,000,000	\$15,000,000	7,000,000	12,460,000	8/1/2051
Gravenstein Elementary	11/4/19	1,800,000	\$1,800,000	-	113,000	8/1/2023
Gravenstein Elementary	11/6/20	6,000,000	\$6,000,000	-	5,490,000	8/1/2043
Guerneville Elementary	6/5/201	6,000,000	\$6,000,000	-	5,943,000	8/1/2045
Guerneville Elementary	11/8/20	7,000,000	\$5,000,000	2,000,000	4,060,000	8/1/2048
Harmony Elementary	6/5/201	9,600,000	\$9,600,000	-	8,820,000	8/1/2050
Healdsburg SFID	11/5/20	18,820,000	\$18,819,951	49	6,879,000	7/1/2027
Healdsburg Unified	6/5/201	35,000,000	\$34,999,954	46	42,820,301	8/1/2040
Healdsburg Unified	11/8/20	67,000,000	\$67,000,000	-	61,885,000	8/1/2047
Horicon Elementary	11/8/20	10,400,000	\$6,000,000	4,400,000	6,000,000	8/1/2048
Kenwood Elementary	11/8/20	17,000,000	\$6,000,000	11,000,000	6,000,000	8/1/2052
Liberty Elementary	11/2/20	1,920,000	\$1,499,299	420,701	883,790	8/1/2030
Mark West Elementary	11/5/20	11,000,000	\$10,999,999	1	3,200,634	8/1/2030
Mark West Elementary	6/8/201	14,000,000	\$7,203,714	6,796,286	6,683,780	8/1/2035
Monte Rio Elementary	11/6/20	3,300,000	\$3,300,000	-	2,990,000	8/1/2048

SCHOOL DISTRICT	DATE OF ELECTION	AMOUNT AUTHORIZED	AMOUNT ISSUED	REMAINING AUTHORIZED	PRINCIPAL REMAINING	BOND MATURITY
Oak Grove Elementary	11/4/20	6,000,000	\$6,000,000	-	5,570,000	8/1/2046
Oak Grove Elementary	11/6/20	9,500,000	\$9,500,000	-	8,950,000	8/1/2051
Old Adobe Elementary	6/6/199	10,250,000	\$10,247,017	2,983	183,222	6/1/2024
Old Adobe Elementary	6/5/201	26,000,000	\$25,996,222	3,778	23,086,384	8/1/2044
Old Adobe Elementary	11/6/20	38,500,000	\$25,000,000	13,500,000	20,470,000	8/1/2048
Petaluma Elementary	11/5/19	30,000,000	\$30,000,000	-	1,925,000	8/1/2028
Petaluma Elementary	6/3/201	21,000,000	\$21,000,000	-	16,760,000	8/1/2042
Petaluma High	4/14/19	45,000,000	\$44,999,999	1	2,810,000	8/1/2024
Petaluma High	6/3/201	68,000,000	\$68,000,000	-	57,380,000	8/1/2041
Piner-Olivet Elementary	11/2/20	20,000,000	\$14,032,213	5,967,787	12,054,157	8/1/2045
Rincon Valley Elementary	3/2/200	23,900,000	\$23,899,008	992	13,926,389	8/1/2036
Roseland Elementary	11/6/20	7,000,000	\$6,999,673	328	6,799,673	8/1/2046
Roseland Elementary	3/3/202	9,400,000	\$3,500,000	5,900,000	2,870,000	8/1/2049
Santa Rosa Elementary	3/5/200	19,125,000	\$19,125,000	-	6,675,000	8/1/2030
Santa Rosa Elementary	11/4/20	54,000,000	\$54,000,000	-	40,647,000	8/1/2043
Santa Rosa Elementary	11/8/20	125,000,00	\$32,000,000	93,000,000	32,000,000	8/1/2053
Santa Rosa High	3/5/200	72,230,000	\$72,230,000	-	22,690,000	8/1/2030
Santa Rosa High	11/4/20	175,000,00	\$175,000,000	-	130,596,00	8/1/2043
Santa Rosa High	11/8/20	398,000,00	\$104,000,000	294,000,000	99,490,000	8/1/2053
Sebastopol Elementary	6/5/200	3,200,000	\$3,199,828	172	775,572	8/1/2026
Sebastopol Elementary	6/5/201	9,000,000	\$8,996,756	3,244	9,248,792	8/1/2043
Sebastopol Elementary	3/3/202	17,500,000	\$6,000,000	11,500,000	4,885,000	8/1/2049
Sonoma Valley Unified	6/7/199	27,500,000	\$27,500,000	-	5,700,000	8/1/2025
Sonoma Valley Unified	11/2/20	40,000,000	\$39,998,881	1,119	37,176,881	8/1/2033
Sonoma Valley Unified	11/8/20	120,000,00	\$120,000,000	-	97,865,000	8/1/2047
Twin Hills Elementary	11/3/19	4,000,000	\$4,000,000	-	335,000	8/1/2025
Twin Hills Elementary	11/2/20	11,000,000	\$2,664,964	8,335,036	2,375,978	8/1/2036
Waugh Elementary	11/8/20	4,000,000	\$3,999,601	399	3,934,601	8/1/2048
West Side Elementary	3/3/202	7,500,000	\$5,000,000	2,500,000	4,435,000	8/1/2053
West Sonoma County High	6/4/199	13,300,000	\$13,299,372	628	210,000	9/1/2023
West Sonoma County High	11/2/20	23,800,000	\$23,796,794	3,206	23,833,953	8/1/2046
West Sonoma County High	6/5/201	91,000,000	\$68,000,000	23,000,000	55,960,000	8/1/2052
Wilmar Elementary	11/6/20	4,000,000	\$3,997,436	2,564	4,347,464	8/1/2042
Windsor Unified	2/5/200	50,000,000	\$49,999,987	13	33,533,064	8/1/2041
Windsor Unified	11/8/20	62,000,000	\$62,000,000	-	55,960,000	8/1/2046
Wright Elementary	11/3/19	6,600,000	\$6,599,971	29	1,714,198	8/1/2028
Windsor Unified	6/5/201	14,000,000	\$13,997,616	2,384	12,802,397	8/1/2042
Sonoma County Jr. College	3/5/2002	251,700,000	\$251,700,000	-	108,515,000	8/1/2029
Sonoma County Jr.	11/4/20	410,000,00	\$410,000,000	-	289,305,00	8/1/2041
TOTAL, ALL SCHOOL BONDS (\$ in 000's)		\$3,014,895	\$2,512,518	\$502,377	\$1,756,299	

2022-23 School Prop 13 and State Funding By District

District Name	# Students 2018 2019	# Students 2022 2023	Prop 13 Tax 2022 2023	State Expenditures 2022 2023	PROP 13 AND STATE REV. 2022-2023
Alexander Valley Union	110	112	\$1,856,664	\$2,898,673	\$4,755,337
Bellevue Union	1,621	1,586	\$10,206,222	\$30,829,858	\$41,036,079
Bennett Valley Union	995	951	\$6,129,260	\$12,968,017	\$19,097,276
Cinnabar	267	207	\$1,166,447	\$3,813,170	\$4,979,617
Cloverdale Unified	1,375	1,318	\$10,759,285	\$20,276,099	\$31,035,384
Cotati-Rohnert Park Unified	6,166	6,449	\$37,872,717	\$99,271,069	\$137,143,786
Dunham	168	147	\$248,343	\$2,207,179	\$2,455,522

DISTRICT NAME	# STUDENTS 2018-2019	# STUDENTS 2022-2023	PROP 13 TAX \$ 22-23	STATE EXPENDITURES 2022-2023	PROP 13 & STATE REVENUE
Forestville Union	237	224	\$3,814,093	\$5,251,449	\$9,065,542
Fort Ross Elementary	21	14	\$423,530	\$961,527	\$1,385,057
Geyserville Unified	232	211	\$3,125,733	\$5,251,332	\$8,377,065
Gravenstein Union	761	768	\$3,686,973	\$11,510,815	\$15,197,788
Guerneville	1,341	360	\$2,626,603	\$10,420,765	\$13,047,368
Harmony Union	652	504	\$2,987,550	\$15,938,556	\$18,926,107
Healdsburg Unified	1,440	1,240	\$24,884,483	\$30,203,226	\$55,087,709
Horicon	69	56	\$1,873,061	\$2,447,780	\$4,320,841
Kashia	15	8	\$129,627	\$401,972	\$531,599
Kenwood	138	113	\$2,540,954	\$3,361,260	\$5,902,214
Liberty	834	1,559	\$7,978,260	\$24,662,866	\$32,641,125
Mark West Union	1,444	1,305	\$9,056,420	\$21,878,547	\$30,934,967
Monte Rio Union	84	59	\$1,474,447	\$1,629,524	\$3,103,971
Montgomery Elementary	33	21	\$599,609	\$998,545	\$1,598,153
Oak Grove Union	1,241	1,217	\$3,338,860	\$20,163,280	\$23,502,140
Old Adobe Union	2,091	1,973	\$13,407,489	\$32,468,359	\$45,875,848
Petaluma City Elementary	2,463	2,410	\$16,926,204	\$38,093,713	\$55,019,917
Petaluma Joint Union High	5,358	4,926	\$33,498,261	\$0	\$33,498,261
Piner-Olivet Union	1,261	1,235	\$6,936,519	\$21,568,670	\$28,505,189
Rincon Valley Union	3,307	3,072	\$22,343,216	\$45,985,597	\$68,328,814
Roseland	2,912	2,766	\$9,970,349	\$82,510,554	\$92,480,903
Santa Rosa City Elementary	4,992	4,861	\$33,094,511	\$86,229,862	\$119,324,373
Santa Rosa City High	11,104	10,179	\$83,495,319	\$0	\$83,495,319
Sebastopol Union	900	764	\$6,765,546	\$14,781,467	\$21,547,013
Sonoma Co Office of Ed	547	317	\$24,639,127	\$0	\$24,639,127
Sonoma Valley Unified	4,329	3,626	\$54,502,755	\$84,091,436	\$138,594,192
Twin Hills Union	1,207	959	\$4,536,992	\$17,087,596	\$21,624,589
Two Rock Union	166	133	\$471,660	\$2,176,752	\$2,648,412
Waugh	854	775	\$2,905,495	\$9,754,259	\$12,659,753
West Side Union	178	137	\$1,539,551	\$2,193,475	\$3,733,027
West Sonoma County Union	1,933	1,588	\$14,566,675	\$28,635,515	\$43,202,189
Wilmar Union	243	219	\$1,805,125	\$3,015,378	\$4,820,503
Windsor Unified	5,165	4,727	\$29,372,124	\$71,312,846	\$100,684,969
Wright	1,480	1,279	\$6,404,265	\$23,976,901	\$30,381,167
Total	69,734	64,375	\$502,103,660	\$888,329,216	\$1,390,432,876
Note: the state report on ADA \$ aggregates high school and elementary districts while population data is split and the State report doesn't include the SCOE schools					

APPENDIX C: OVERSIGHT

School Bond Oversight

School districts are required by law to conduct both an annual independent performance audit and an annual professional financial audit to ensure that school bond proceeds are used for their declared and intended purpose. However, to ensure that bond proceeds were spent for their intended purpose, the school district board is required by law to appoint an independent Citizen Bond Oversight Committee. These committees are supposed to review the expenditure of bond funds and to verify that the bond funds are being spent only for the authorized purpose.

Citizen Bond Oversight Committee meetings must be open to the public following notice in the same manner as the proceedings of the governing board. The committee is required to issue reports at least once a year on the results of its activities. Minutes of the committee proceedings and all documents

received, and reports issued are a matter of public record and must be made available on an internet web site maintained by the governing board of the district.

In furtherance of its mission to ensure that bond revenues are expended only for the construction and rehabilitation of school facilities, including furnishing and equipping the facilities, the committee is authorized to do the following:

- Receive and review the annual independent performance audit.
- Receive and review the annual independent financial audit.
- Inspect school facilities and grounds.
- Receive and review any deferred maintenance plans or proposals.
- Review efforts by the school district to implement cost-savings measures.
- Alert the public to any waste or improper expenditure of school bond funds.
- Ensure that unauthorized expenditures of school construction bond revenues are vigorously investigated, prosecuted and court restrained.

School Oversight

For more information, the State of California Legislative Analyst's Office recommends elements that should be an integral part of school oversight: <https://www.lao.ca.gov/Publications/Report/4883>

SALES TAX OVERSIGHT

Here are the actual oversight requirements for the last four county-wide sales tax measures:

Measure H, 2024 (fire & ambulance agency funding): *“shall Sonoma County establish a ½ cent sales tax until ended by voters, providing approximately \$60,000,000 annually, with annual audits and citizen oversight, and increase its annual appropriations limit to allow expenditure of the proceeds?”*

Oversight fine print: *“the Committee’s responsibilities shall not include decision making on spending priorities, financing plans or tax rate projections or assumptions, and the Committee shall have no authority to direct, nor shall it direct, County staff or officials or fire agency staff or officials.”*

Measure O, 2020 (mental health programs): *“shall the County of Sonoma establish a countywide ¼ cent sales tax for ten years, providing approximately \$25 million annually, with annual audits and citizen oversight to ensure funds are properly spent?”*

Oversight fine print: *“the committee’s responsibilities shall not include decision-making on spending priorities, financing plans or tax rate projections or assumptions and the committee shall have no authority to direct, nor shall it direct, County or City staff or officials.”*

Measure M, 2018 (park and rec programs): *“shall Sonoma County establish a one-eighth cent special transaction and use tax (sales tax) countywide for a ten-year period, providing approximately \$11.5 million annually, with citizens' oversight and annual audits?”*

Oversight fine print: *“the committee shall produce an annual oral or written report on its review which shall be considered by the Board at a public meeting. The committee may provide budget recommendations to the Board and City Councils regarding expenditures from the transactions and use tax...The amount generated by this revenue source and how it was used shall be included in the annual audit of the County’s financial operations by an independent certified public accountant, which the committee shall review. To preserve the integrity and independence of the oversight process, the committee’s responsibilities shall not include decision-making on spending priorities, financing plans or tax rate projections or assumptions and the committee shall have no authority to direct, nor shall it direct, County or City staff or officials.”*

Measure Y, 2016 (library funding):

Oversight fine print: *“Each appointee shall attend all meetings and fully participate in the review and annual report of the Measure Y revenue expenditures. The role of the committee is not to approve Measure Y expenditures in advance, but to carefully review expenditures on a regular basis, ask clarifying questions as needed, and make recommendations to*

library staff as to the appropriateness of expenditures and how they conform to the intent of the ordinance. The committee also works with library staff to prepare an annual report on the previous fiscal year expenditures, which is then presented to the library commission and made available to the public. The staff will make every effort to provide timely reports and answer committee questions about expenditures. Meetings of this committee are to be public and governed by the Brown Act.”

OVERSIGHT AUDITS AND THE ELECTED AUDITOR CHARTER

There are four basic types of audits:

- **Accounting:** Were accounting entries made properly and in accordance with generally accepted accounting principles?
- **Controls:** Did the audited entity have accounting and documentation analysis processes in place to ensure that the accounting records would likely be accurate and compliant with statutory and accounting requirements?
- **Compliance:** Did the entity being audited ensure that the accounting records would be accurate and compliant with statutory and accounting requirements?
- **Performance Audits:** A comprehensive review of the entity’s operational and financial procedures to confirm that work is being done according to industry best practices, and that the entity’s financial behaviors are fully compliant with stated policies and procedures.

Here are *excerpts* from the County Code regarding the Auditor’s authority and responsibility:

The Institute of Internal Auditors (IIA) defines internal auditing as "an independent objective assurance and consulting activity designed to add value and improve an organization's operations. It helps an organization accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control and governance processes."

The Audit division of our elected “Auditor/Controller/Treasurer/Tax Collector (ACTTC) has a public charter formalizing its responsibilities, reporting lines, and internal audit protocols. By ordinance, the Audit Division is authorized by the Board of Supervisors to review the accounts of all of County agencies and special districts; its charter establishes internal audit objectives and provides for *uninhibited and complete authority to fulfill its objectives*, with procedures to address obstacles and issues.

APPENDIX D. HOMELESSNESS COSTS

The \$129 million dollar reported spend on Homelessness comes from [the 2023-24 “Budget Memo”](#), a communication about topics that don’t necessarily fit into the budget process. Note that NO costs for the Corrections Dept./MADF are included in the County’s estimate below:

Homeless Costs

Beginning with FY 2022-23 Budget Hearing materials, we began providing information on costs associated with homeless response and prevention for the prior complete fiscal year. The information provided below reflects homelessness costs incurred in FY 2021-22.

...the County does not have a financial account coding structure exclusively designed to track homelessness related expenses, as delivery of service interactions are not all identified as providing services to housed versus unhoused clients.... their housing status may or may not be the leading cause for that interaction. Therefore, determining costs associated with addressing homelessness relies on considering expenditures as well as available case data.

Ultimately, the reported costs *are an approximation of* actual expenses incurred due to these realities.

In total, in FY 2021-22 Countywide spending on homelessness prevention and response totaled almost \$129 million, with the largest share being in the Community Development Commission (CDC)... approved by the County's Board of Supervisors/Board of Commissioners.

The enclosed table includes costs associated both with prevention, such as rental assistance programs & housing vouchers, as well as response, such as cleaning up homeless encampments in parks. Even the delineation between prevention and response can be nuanced...

Homelessness Prevention & Response Costs 2021-22

Community Dev. Commission Programs		
	2021	2022
Affordable Housing	33,876,217	43,811,447
Ending Homelessness	7,528,044	13,891,245
Housing Authority	37,712,059	45,922,030
Project Homekey	18,056,000	0
CDC Total	\$97,172,320	\$103,624,722
Health Services Programs		
Acc..Coord. Care (ACCESS)	6,464,568	6,738,393
Behavioral Health Acute Forensic	4,176,650	6,512,901
Behavioral Health Youth & Family	804,371	1,262,483
DHS Total	\$11,445,589	\$14,513,778
Human Services Programs		
Adult & Aging	601,980	652,478
Employment & Training	965,623	3,134,517
Family Youth & Children	2,662,918	1,925,869
Human Services Total	\$4,230,521	\$5,712,864
Misc Depts		
District Attorney Total	248,691	236,683
Regional Parks Total \$	379,889	
Probation Total	1,219,949	1,500,878
Public Infrastructure Total	1,247,143	684,790
Sheriff- Law Enforcement Total	411,157	
Sonoma Water Total	500,000	800,000
Misc Total	4,006,829	3,222,351
Total Homelessness Costs:	\$116,784,284	\$127,073,715



Sonoma County Main Adult Detention Facility
a/k/a "The County Jail"

Déjà Vu All Over Again

GLOSSARY

AB109	Assembly Bill 109, the Public Safety Realignment Act (2011)
ABAM	American Board of Addiction Medicine
BHS	Sonoma County Department of Health Services, Behavioral Health Division
BoS	Sonoma County Board of Supervisors
BSCC	California Board of State and Community Corrections
CalAIM	California Advancing and Innovating Medi-Cal
CCR	California Code of Regulations
CO	Correctional Officer, also known as Correctional Deputy
COLA	Cost of Living Adjustment
DHS	Sonoma County Department of Health Services
DRC	Day Reporting Center
HR	Sonoma County Department of Human Resources
MADF	Main Adult Detention Facility (often referred to as County Jail)
NCDF	North County Detention Facility
OCA	Out of Cell Activity time
PTSD	Post-Traumatic Stress Disorder
SCSO	The Sonoma County Sheriff's Office
SAMHSA	Substance Abuse and Mental Health Services Administration
TITLE 15, CCR	Minimum Standards for Local Detention Facilities
TITLE 24, CCR	California Building Standards Code

METHODOLOGY

This Grand Jury investigation of the MADF included:

- multiple facility tours
- many interviews with multiple Correctional Officers (CO's), inmates, mental health and medical vendor staff and food vendor employees, and
- extensive review of data from the Sheriff's office and other sources.

INTRODUCTION

Every year, the Civil Grand Jury is required to visit jails in Sonoma County. This year, the Civil Grand Jury focused on the Sonoma County Main Adult Detention Facility (MADF), commonly known as the "County Jail".

You may have read a prior Grand Jury report similar to this one. It might have had a different catchy title, like "The Jailhouse Rocks" or "Up Against the Wall" or "Death by Incarceration" but the point is the same. Problems at the Sonoma County Jail are persistent. Why are they so difficult to solve?

The Grand Jury believes that at least part of the answer lies in the fact that nearly half of the inmates in our jail have been diagnosed with a mental illness. The MADF houses the largest concentration of mentally ill people of any County-run facility. But the County Jail isn't supposed to be a care-giving facility for people suffering from mental illness; the physical building was never intended to safely hold this specific population and the corrections staff is not trained to effectively treat them.

Compounding the issue of many inmates with mental illness, we found that inmates were suffering from an inordinate amount of "in-cell" time. The MADF facility was designed as a "Direct Supervision" facility, where inmates could have several hours a day outside of their cells to interact with one another and participate in recreational or educational activities. However, during our investigation, inmates were lucky to get out of their cells for 30 minutes a day. What is the reason for this?

BACKGROUND

Historically, county jails have housed inmates serving short sentences and arrestees awaiting trial, while state prisons housed convicts serving longer sentences and/or needing more substantial facilities. By 2011, California's state prisons were seriously overcrowded, and a federal court required the State to reduce its state prison population. A [Stanford Criminal Justice Center publication](https://law.stanford.edu/stanford-crim-inal-justice-center-scj/c/california-realignment/)¹ describes the State's response to Assembly Bill 109, The Public Safety Realignment Act, in this way:

"in brief, AB 109 (and AB 117, a companion bill) altered both sentencing and post-prison supervision for the newly statutorily classified "non-serious, non-violent, non-sex" offenders.... three major groups are affected by Realignment. First, felony offenders who have never been convicted of a "serious" or "violent" crime or an aggravated white-collar crime and are not required to register as sex offenders...will now serve their sentences in local custody. Second, released prisoners whose current commitment offense qualifies them as "triple-non" offenders are diverted to the supervision of county probation departments under "Post Release Community Supervision (PRCS)." Third, if persons on PRCS violate the technical conditions of their supervision (rather than committing a new crime), they can no longer be returned to State prison but must be sanctioned in local (county) jail or community alternatives."

¹ <https://law.stanford.edu/stanford-crim-inal-justice-center-scj/c/california-realignment/>

In other words, the nature of the inmate population in county jails was significantly changed with the passage of AB109², and so the MADF was forced to change as well.

However, the largest change has been in the number of mentally ill inmates housed in the MADF. Twenty years ago, [15% of the inmate population](#) suffered from mental illness, eight years ago, [40% of inmates](#) at the combined adult detention facilities (North County Detention Facility (NCDF) and the MADF) had some form of mental health issue, and today nearly 50% of MADF inmates suffer from mental illness.

Closure of State Institutions

Prior to 1957, mentally ill and developmentally disabled individuals were cared for in state hospitals by the State of California. By the late 1950s, Federal and State policymakers began to advocate moving patients out of state institutions to community care, and this exodus accelerated during the late 1960s and early 1970s. In 1969, California began closing state mental hospitals. Laws intended to protect patient rights and provide more humane and effective care had an unintended result: increasing numbers of mentally ill individuals becoming homeless, receiving little or no treatment, and cycling in and out of jails.

“MENTAL ILLNESS IS NOT A PERSONAL FAILURE. IN FACT, IF THERE IS FAILURE, IT IS TO BE FOUND IN THE WAY WE HAVE RESPONDED TO PEOPLE WITH MENTAL AND BRAIN DISORDERS.”

DR. GRO HARLEM BRUNDTLAND

Prior Grand Jury Recommendations

The 2003-2004 Sonoma County Civil Grand Jury [recommended](#)³ that the County build a separate detention facility for the incarcerated mentally ill, stating that, “There is wide consensus among the detention authorities, mental health professionals, and Correctional Officers who were interviewed by the 2003-2004 Sonoma County grand jury, that most mentally ill offenders should be in an appropriate mental health facility and not in jail.”

Eight years ago, the Grand Jury reported that plans were underway to build a new housing unit. The jury endorsed this plan, stating, “This housing unit is being designed to provide the best therapeutic environment for the inmate population with the most critical of the mental and substance abuse issues.”

The Road Not Taken



Architectural rendition of Behavioral Health proposed addition to MADF that was to be operational in 2019

In 2015, Corrections officers started working on an innovative solution to the growing problem of mentally ill inmates: a Behavioral Health extension to the MADF. This jail unit was [designed to](#)

² [Sonoma County Public Safety Community Partnership re AB109](#)

³ **Error! Hyperlink reference not valid.** 2004 Sonoma County Grand Jury Report <https://sonoma.courts.ca.gov/system/files/7jailschanges.pdf>

[house and treat 72 mentally ill inmates](#), with cells, space and medical offices created to meet these inmates' special needs.⁴ The County and Sheriff's Department applied to the California Board of Corrections for a construction grant to build the extension; the \$44,675,000 budget was approved in 2017 to break ground in 2018 and be operational by 2019.

Unfortunately, county budget and construction resource constraints after the Tubbs fire put the plan on hold, and then the COVID pandemic came along and... seven years later, the state construction funds are still available but building costs have risen. The construction cost estimate has now risen to approximately \$60,000,000.

This type of mental health extension to the MADF, first recommended by the grand jury twenty years ago, is an even more acute need now. A facility like this would improve confinement and treatment for mentally ill inmates, would free up time for CO's in the general population modules, and would increase Out of Cell Activity time (OCA) for prisoners in the MADF. It can only be built with sponsorship by the Board of Supervisors—the need is clear, and the plan is still good.

THE MADF TODAY

The Main Adult Detention Facility (MADF) was originally named the Sonoma County Jail when it opened in 1991. It reached capacity quickly and an expansion to MADF was completed in 1997. MADF was built to house three types of inmates:

- People being held pending Court proceedings.
- People convicted by the court and sentenced to the county jail.
- People incarcerated pending transportation to other facilities (i.e., state prison).

Each cell is discrete with solid block walls and (windowed) metal doors; there are no iron bars or cages. Most of the cells house a single individual, with space for a bed and toilet. As mentioned earlier, the design of the MADF was based on a Direct Supervision model. Therefore, cells open up to large common areas where inmates can congregate for a variety of activities.

THE INMATE EXPERIENCE

The MADF has a rated capacity of 912 inmates, but the makeup of the present inmate population does not allow the use of all beds: inmates with mental health issues may require special separation from the general population and gang rivalries may require member segregation for both staff and inmate safety.

As a result, the number of usable beds can change daily; the currently available bed count is 864. The number of inmates in the jail fluctuates between 700 and 850.

⁴ <https://sonoma.courts.ca.gov/system/files/countydetentionfacilities2015-2016.pdf>

As of March of 2024, the MADF population was classified as follows:

CURRENT INMATE POPULATION – March 2024

MADF	COUNT	%	CLASSIFICATIONS	COUNT	%*
SENTENCED MALES	219	29%	Mental Health	358	46.8 %
SENTENCED FEMALES	30	4%	Mental Health Acute	250	32.7 %
*UNSENTENCED MALES	451	59%	Serious Mental Ill	115	15 %
*UNSENTENCED FEMALES	67	9%	Gang Members	142	18.6 %
TOTAL COUNT	767	100%	AB109 §1170(h) PC	63	8.2 %
Rounded to nearest percentage point <i>*New unsentenced arrestees typically match the number of inmates booked and bailed or released on "Own Recognizance", keeping the population of unsentenced inmates close to the same. Among all the inmates, those with mental health problems represent close to half of the population.</i>			§1370 PC	14	1.8 %
			* % exceeds 100% because some inmates are in more than one classification. AB109: The Public Safety Realignment Act §1370PC placements: individuals who are determined to be not mentally competent to stand trial.		

All arrestees have a common experience when they arrive at the jail. During their initial booking, inmates are assessed and assigned to a housing unit, based upon consideration of mental health, possible gang affiliation, nature of crime (violent vs. non-violent), and need for protective custody.

Once in their assigned cells, prisoners are provided clothing and basic hygiene supplies. They then spend time in their individual cells, sometimes for days on end. Due to staffing shortages, inmates have been subjected to recurrent lockdowns, with inmates spending up to 24 hours per day in their cells. Daily OCA time is frequently below the State's Title 15 standards. Title 15 sets a minimum requirement of 10 hours a week for OCA—less than 90 minutes per day. During this time, inmates need to shower, make phone calls, and engage in recreational activities. Post-pandemic staffing shortages have led to inmates not being given even this minimum amount of OCA and they may spend 24 hours a day confined to their cells. Inmates also report that variable staff availability means they are not told each morning how much OCA they can expect that day; not knowing what their schedule will be increases anxiety and confusion.

Mentally ill inmates spend even more time in their cell than other inmates due to their need for increased supervision; for example, an inmate classified as Seriously Mentally Ill (SMI) requires 3 correctional deputies to move and monitor them during OCA.

What can inmates do while spending so much time in their cells? That partially depends on their financial situation: only 230 tablets are available to be rotated amongst inmates, and they must pay out of pocket for most commercial programming. Writing materials and activity books, like crossword puzzles and word searches, can be obtained from the commissary (at a price). There is a small jail library that has books and magazines, but there is little else to do during lockdown times. All of the cells have solid walls, so cell-to-cell conversation isn't an option. Three meals a day are provided and eaten in the cells. Snacks can be purchased from the commissary if one has the money.

As you might imagine, these conditions can aggravate already existing mental health issues. Wellpath, the contracted vendor that provides basic medical and mental health services to inmates, works with CO's to form a mental health team that addresses acute situations but there is no individual mental health counseling offered. The Wellpath psychiatrist prescribes medication to

alleviate acute symptoms, but telehealth psychiatric consultations (while offered) are in limited supply and challenging to schedule.

The bottom line is that being an inmate in the MADF is unpleasant. If you are an inmate with mental health issues, your experience is most likely *excruciatingly* unpleasant.

But aren't things improving for inmates? Can't we be hopeful for the future?

Yes...

Maybe?

Staffing shortages are currently being vigorously addressed by the SCSO. The results of their efforts *should* result in more OCA time for prisoners. Currently however, OCA time for most inmates is still significantly below Title 15 requirements. Some self-betterment programs such as GED courses, culinary arts training and music have been restored, and some classes which stopped during the pandemic have resumed. Free classes are also available on the tablets, and credit may be earned toward reducing sentences when classes are successfully completed. The Sheriff's Department just concluded a unique music writing program for inmates with assistance from the Julliard School of Music. These developments (increased staffing and programming) seem to portend well for inmates going forward.

However, there is reason to be doubtful. Can we expect meaningful, sustainable change for mentally ill inmates? Unless there are significant improvements, we will be reading a similar version of this report again in the year 2034.

DISCHARGE PLANNING

Discharge planning is vital, especially for mentally ill inmates reentering the community. Many of these people do not have a home. Typically, more than a third of newly released inmates were homeless at the time of their arrest, with no job or family to offer support. Many have medical issues that require a physician's care and medication. Those with substance abuse disorders need support with treatment and access to recovery services. Others have mental health problems that require ongoing support and monitoring.

SCSO contracts with Wellpath for a single discharge planner to provide exit services to those inmates with identified mental health problems. The Wellpath contract describes a comprehensive plan for release into the community for inmates with mental health diagnoses that includes access to health care, housing, substance-abuse services, food and more. The discharge planner meets on a weekly basis with community providers such as shelters, clinics, behavioral health services, public defenders and the Probation Department to try to identify any available care.

Currently, there are no discharge planners for inmates who are not categorized as needing mental health services. Upon release they are given a bus pass and a list of services that are ostensibly available to them and then released to the streets. An additional challenge: inmates are sometimes released after work hours, on weekends or on holidays, when it is most difficult to access immediate services or even transportation.

The court determines the amount of time an inmate will serve and SCSO cannot hold anyone past this date. This creates a problem when the inmate has begun withdrawal treatment for drug or alcohol

addiction while incarcerated: not completing the withdrawal treatment may put their life at risk.¹ Upon release a prescription is provided but no follow-up services are provided.

STAFFING

A corrections officer's principal job is to maintain a safe and secure environment for the inmates in their charge and for the staff they work alongside. It takes more than muscle to do a good job; they must also be highly observant and attuned to their environment. The influx of inmates with mental health issues means they need to be adept at recognizing (sometimes subtle) signs of emotional instability and be effective communicators to defuse situations that could become violent.

Corrections officers as a group are more likely to experience violence, stress, burnout, mental health challenges and divorce than other law enforcement personnel. In fact, correctional officers are twice as likely to experience Post-Traumatic Stress Disorder (PTSD) as military veterans who have served active duty.² Excessive and unpredictable work hours contribute to these conditions and may impact the officer's quality of life outside of the job.

MADF deputies on the Mental Health team get special training and meet weekly to discuss specific inmate disorders. Wellpath medical staff shared that they rely on correctional staff for insight regarding inmates' moods and behavior due to their expertise.

There is a persistent public perception that corrections officers don't care about—and are frequently unresponsive to—the needs of the inmates they supervise. The CO's we interviewed want the public to know that they DO care about the inmates, and in fact, that they save lives on a regular basis, particularly with overdoses and suicide attempts. They too, want inmates to have more OCA for phone use and recreational time. They too, would like the inmates to have opportunities to take classes and develop occupational skills. Unfortunately, a chronic staff shortage has prevented this from happening.

A sufficient number of qualified, healthy staff is needed for a jail to run smoothly. Currently, there are 291 authorized Detention department staff: 213 are licensed corrections officers (including 10 lieutenants, captains, and Assistant Sheriff); 78 full time support staff; plus contracted employees working for third party service providers.

Staffing shortage

Correctional institution understaffing is a nationwide problem, and Sonoma County is no exception. The staffing shortage predates the pandemic but was exacerbated in 2020 by a County-wide hiring restriction followed by a wave of retirements from 2022-2024.

The 2024 MADF budget authorizes 179 Correctional Officers. However, the roster of 165 on-board correctional staff includes 27 who just graduated at the end of April, 44 hired earlier in 2024, and 43 who are unavailable because of injury, medical leave, or "processing out" (retirement). This leaves only 122 officers actually available to work *—and 71 of them are such recent hires that they aren't yet allowed to work independently.*

Short staff means more lockdowns and very little OCA, causing higher inmate frustration and aggression, which makes the CO's job more difficult. Mandatory overtime was required to keep the staffing at a bare-bones level, resulting in exhausted CO's working *up to 100 or more extra hours per month per officer.* This excessive overtime impacted the SCSO detention budget, but it had an even

¹ <https://store.samhsa.gov/sites/default/files/sma15-4131.pdf>

² <https://americanaddictioncenters.org/rehab-guide/corrections-officers>

more detrimental impact on staff. Sustained mandatory overtime resulted in workforce fatigue, low morale, stress and burnout, and increased threats to safety and security for both staff and inmates. Work-related injuries also led to high levels of absenteeism—for example, in the past five years, 17 SCSO Correction Officers took early retirement due to disability.

To its credit, the Sonoma County Sheriff’s Department tried various ways to reduce mandatory OT and ease the stress on officers and inmates, including reassigning six Sheriff Deputies from patrol to MADF and contracting with Solano County to house up to 75 Sonoma County inmates. Both of these steps helped lessen the need for mandatory overtime. However, these are only temporary remedies; hiring, and *keeping* correctional staff, is the most important strategy to alleviate these conditions.

Recruitment and Retention

Why has it become so difficult to hire and keep correctional deputies in Sonoma County? Restricted hiring during the pandemic certainly had a detrimental effect. Staff left and were not immediately replaced. In addition, the pool of qualified candidates in general is shrinking; police work, especially in corrections, has decreased dramatically as a career choice during the past decade, and law enforcement agencies often compete for candidates. When an applicant successfully completes training and on-the-job certification, they are eligible to work anywhere in California, and until recently, other counties’ Sheriff’s Departments offered higher salaries, benefits, and larger signing bonuses.

In Sonoma County, as in other counties, it can take up to eight months for an applicant to be screened, background checked, interviewed, and trained. It’s a costly process where the washout rate is 15%. Longevity once hired is also an issue; in our county, most correction deputies have 5 years or less of seniority. The table below shows seniority for these non-managerial job titles: Correctional Deputy I & II, Correctional Lieutenant, Correctional Sergeant, and Specialist I & II.

YEAR HIRED	LENGTH OF SERVICE	# OF EMPLOYEES
2019-2024	1-5 years	(71 hired in 2023-24) 113
2014-2018	6-10 years	28
2009-2013	11-15 years	4
2004-2008	16-20 years	
1999-2003	21-25 years	10
1994-1998	26-30 years	9
1986-1993	31-40 years	1

Corrections is one of the careers with the highest rates of turnover in the country. When applicants are hired, many only stay for a few years, then move on to other careers. In the past few months, the SCSO has made valiant efforts to recruit and train new CO’s in order to address the issues caused by the current staffing shortage: Recent contract negotiations put Sonoma County’s correctional deputies’ salaries at par with neighboring counties: a salary increase and cost of living adjustment (COLA) in 2023 and May 2024 have helped attract applicants to fill vacancies and retain existing staff. Signing bonuses have also proven effective; SCSO is currently offering a \$25,000 bonus paid in three installments during the first three years of service as a hiring and retention incentive.

The good news is that the SCSO's recruitment efforts are working; all but 14 vacant positions have been filled. Twenty-seven new hires are now in the process of being trained. However, it will take many months to learn how many recruits successfully complete the training and how these new officers impact the staffing shortage and mandatory overtime rates.

CONCLUSION

Although SCSO is compliant with Title 15 medical and mental health requirements, the MADF is not designed or configured to house the growing number of individuals with mental health diagnoses. MADF staff are doing the best they can under difficult circumstances and chronic staff shortages.

The nature of the job, long hours, mandatory overtime, and the challenge of dealing with mentally ill inmates have all contributed to a long-term staffing crisis. Correctional officer turnover and the ensuing loss of institutional knowledge is an issue. The result is that MADF has had difficulty offering and maintaining inmate programs and providing out of cell time and activities. Although improvements are being made, there is more that should be done to improve the situation for everyone involved.

The Grand Jury found several key issues. Hiring and retaining Correctional Officers needs to continue to be the highest priority. We acknowledge the significant amount of progress that has been, and continues to be, made by SCSO. In the past five months, recruitment and hiring have gone up and the mandatory overtime necessitated by under-staffing has gone down. It is clear that SCSO is making a concerted effort to address the chronic staffing shortage and that they are moving in the right direction. We were greatly encouraged by the May 1 newsletter from the Sheriff's Department announcing that Detention will be fully staffed by summer 2024. Now that the roster is being filled; attention needs to turn to retaining the best officers and replacing any staff that doesn't measure up.

Robust substance abuse treatment services are needed, both inside and outside the jail. The Grand Jury found significant overlap between what SCSO is doing and what the Department of Health Services is doing. Two recent developments are encouraging: in March, 2024 the BoS authorized SCSO to execute an agreement with GEO Reentry Services to provide substance use disorder treatment services to adults at the County's detention facility through March 31, 2027 with an option to extend for two additional one-year terms. Outside the jail, the "Dr. Sushma D. Taylor Recovery Center" will soon provide medically managed withdrawal services for low-income male patients, with 50 beds for those in our county who struggle with addiction.

Sustained commitment and collaboration are essential to continued improvement. The Board of Supervisors, and the Sheriff's Office must work together to find (and fund) solutions to the problems facing the MADF staff and inmates that are under their authority.

FINDINGS

F9. The Sonoma County Civil Grand Jury determined that:

- F1. There are a large number of mentally ill inmates held in the MADF whose needs are not being met.
- F2. The planned MADF mental health extension, “on hold” since 2016, would increase the safety of correctional officers and inmates and make more room in the Main Jail for programming.
- F3. There is a persistent deficiency in OCA time for inmates, especially those in the modules for the mentally ill.
- F4. There has been a chronic staffing shortage in the MADF.
- F5. Mandatory staff overtime is excessive and a detriment to the safety, security, and health of both officers and inmates.

RECOMMENDATIONS

The Sonoma County Civil Grand Jury recommends that:

- R1. By December 31, 2024, SCSO will develop a plan to provide mental health treatment based on inmates’ specific and individual mental health needs.
- R2. By December 31, 2024, the Board of Supervisors will develop a plan to fund construction of the mental health extension.
- R3. By December 31, 2024, SCSO will develop a process to discharge inmates that takes their specific and individual medical and behavioral health needs into account.
- R4. By December 31, 2024, SCSO will provide all eligible inmates at least ten hours of OCA per week.
- R5. By June 30, 2025, the SCSO will have a vacancy rate in its Corrections Unit of less than 10%.
- R6. By December 31, 2024, mandated monthly overtime for SCSO Corrections Officers will average no more than 25 hours a month.

REQUIRED RESPONSES

Pursuant to Penal Code §§ 933 and 933.05, the grand jury requires responses as follows:

- Sonoma County Sheriff’s Office (R1, R3, R4, R5, R6,)
- Sonoma County Board of Supervisors (R2)

The governing bodies indicated above should be aware that their comments and responses must be conducted subject to the notice, agenda, and open meeting requirements of the Brown Act.

APPENDICES

Appendix A: Release and Probation

What happens after inmates are released? The sheriff's office has fulfilled their responsibilities, but an inmate's life continues after they walk out of the jail.

Although outside the scope of our investigation of the MADF, the grand jury felt it appropriate to comment on the fact that inadequate support for vulnerable populations after their release from jail contributes significantly to recidivism rates.

The Merry-Go-Round

If you are a homeless inmate with a substance abuse problem or mental health issues, you may feel that life is a merry-go-round. You get released from jail with a slip to get a refill for the medications you have been taking and a list of programs that may or may not be able to provide some assistance. You have to find your own transportation from the jail to wherever you want to go; for many the inclination is to go back to the homeless encampment that they last lived in (which may not exist anymore); a few will pursue assistance and life may get a little better for a while but in a majority of cases it is just a matter of time before being picked up for another offense and the merry-go-round ride starts again.



Probation:

For inmates who are to be supervised by the Probation Department, monitoring by Probation generally begins 48 to 72 hours after release. Clients categorized to have a moderate to high risk of re-offending are referred by their probation officers to the Day Reporting Center (DRC), which provides staff and programs designed to decrease recidivism. Opportunities include help finding employment, education programs leading to a General Education Diploma or junior college degree, and participation in programs such as anger management and trauma recovery. The DRC also provides food, clothing, transportation to the center and additional types of support on an individual basis. Some DRC services, such as education and job programs, are theoretically open to former inmates who are not under the supervision of Probation. However, few are in the higher risk groups eligible to participate in them. Building space is limited and DRC employees are spread over seven locations. Staff could offer more support if additional space was available. The Grand Jury commends the Probation Department's Day Reporting Center for offering services that can have a meaningful impact on the lives of former inmates who choose to take advantage of them.

These services are outside the authority of the MADF but are crucial to the success of individuals who were recently incarcerated.

CalAIM

Many inmates were previously denied Medi-Cal (the state's Medicaid program) because of their criminal histories. CalAIM, the California Advancing and Innovating Medi-Cal program, provides improved access to physical and medical services for the formerly incarcerated. CalAIM is an extensive, multifaceted undertaking with multiple phases and timelines. This year the Sonoma County Board of Supervisors approved a \$3.5 million grant to the Sheriff's Office to help implement CalAIM, and the county's CalAIM plan was submitted to the state in late March. The program is in the planning phase, with full implementation set for 2026, but it is not yet known which aspects will be adopted in Sonoma County.

Appendix B: Title 15 Standards Compliance

The Grand Jury examined MADF for compliance with California law. Title 15 of the California Code of Regulation lists 15 Articles, or categories, of minimum standards that county jails are legally expected to comply with³. These standards cover a wide range of topics that address issues associated with the health, safety and security of the correctional facility, its staff, and its inmates. Within each of these Title 15 Articles, there can be 10-20 sub-categories with their own specific “rules” to follow. For example, Article 5, *Classification and Segregation* has eleven sub-categories including Communicable Diseases, Use of Sobering Cell, Developmentally Disabled Inmates, and Use of Restraints; each of the eleven subcategories then list several rules and protocols specific to that topic. That being the case, we were not able to observe examples of every standard being met, but from what we did observe, it appeared that MADF was in compliance with Title 15 based on interviews and observations with one big exception: Out of cell activity time (OCA) for inmates.

Appendix C: Commissary and Inmate Welfare Fund

MADF provides all inmates access to commissary items for purchase. Funds to make these purchases come from whatever the inmate possesses when he/she is booked into the MADF, or from funds added to his account by friends and family. If you don’t have funds, you are considered indigent and you do not receive any commissary items except personal care items. MADF does not have inmate jobs for pay or credit that can be used for commissary purchases.

Title 15 §1265. Issue of Personal Care Items: There shall be written policies and procedures developed by the facility administrator for the issue of personal hygiene items. Each female inmate shall be issued sanitary napkins and/or tampons as needed. Each inmate to be held over 24 hours who is unable to supply himself/herself with the following personal care items, because of either indigency or the absence of an inmate canteen, shall be issued: (a) toothbrush, (b) dentifrice, (c) soap, (d) comb, and (e) shaving implements. Inmates shall not be required to share any personal care items listed in items “a” through “d.”

The cost of these items (\$1.80) is shown on the inmate account as a negative expense. If the inmate does receive any funds the negative amount is offset by the funds. So, if a friend put in \$5.00 the inmate would only get \$3.20 (\$5.00-\$1.80). Any profits from commissary sales go into the inmate welfare fund and are used to fund inmate programs. Here’s a sample of the commissary items and price list

³ <https://www.bscc.ca.gov/wp-content/uploads/Adult-T15-Effective-1.1.2023-Full-Text.pdf>

Partial Commissary List

6030	Henhey's Milk Chocolate Almonds (K)(S)(V)	1.70	7089	Jack Links Original Beef Sticks	2.12
6031	Milk Duds (K)(S)(V)	3.19	7070	Summer Sausage 5oz	4.25
6033	Nutty Bar SINGLE (K)(S)(V)	1.06	7071	Jumbo Hot Dill Pickle (K)(V)	1.80
6037	Starburst Original (S)	2.75	7072	Kosher Dill Pickle (K)(V+)	1.80
6041	Starburst Minis (S)(V+)	1.80	7076	Lays Sour Cream & Onion 1.5oz (K)(V)	1.70
6041	Gummi Bears (S)(V+)	2.01	7076	Hot Sauce Bottle 6oz (K)(V)	2.12
6042	Cinnamon Bears (S)(V+)	2.12	7078	Trails Best Double Barrel Salsami	1.70
6043	SP Jolly Rancher (S)(V+)	6.39	7080	Spicy Vegetable Ramen (V+)	1.06
	BEVERAGES		7083	Snyders Hot Buffalo Pieces (K)(V+)	1.49
6000	Nescafe Tasters Choice Single Decaf (K)(V+)	0.63	7084	Snyders Jalapeno Pieces (K)(V+)	1.49
6001	Sweet and Low 10 ct (K)(V+)	1.06	7091	Cheese and Cracker Singles (K)(S)(V)	0.84
6002	Creamer Singles 10ct (K)(V)	1.06	7092	Cup O Noodle Beef	1.33
6007	Sierra Mist (S)(V)	2.24	7093	Cup O Noodle Chicken	1.33
6008	Root Beer (S)(V)	2.24	7095	Spicy Refried Beans 8oz (K)(V+)	3.72
6010	Tea packets 100 ct (K)(V)	4.25	7096	Chicken Breast Pouch 4.5oz	5.32
6013	Capuccino single (K)(S)(V)	0.74	7097	Frosted Flakes Bowl 1oz (V+)	1.27
6014	Instant Dry Milk (K)	6.39	7098	Raisin Bran Bowl 1.25oz (V+)	1.27
6016	Sweet and Low 100ct (V)	4.25	7100	Soy Sauce Packet (V)	0.16
6022	Kool Aid Grape 6oz (K)(S)(V)	4.25	7102	Mustard PC (K)(V+)	0.11
6023	Kool Aid Tropical Punch 6oz (K)(S)(V)	4.25	7103	Ketchup PC (K)(V+)	0.11
6024	Green Tea Bag (V+)	1.96	7104	Pepper Packets 10ct (V+)	1.06
6027	Hot Cocoa Mix (V)	0.53	7105	Salt Packets 10ct (K)(V+)	1.06
6028	Premium Coffee 3oz (K)(V+)	5.32	7106	Hot Sauce PC (K)(V)	0.42
6029	Countrytime Lemonade 6oz (K)(S)(V+)	4.25	7107	Mayo PC (K)(V)	0.16
6032	Coffee Decaf Freeze Dried 3oz (K)	5.13	7108	Oatmeal Variety Pack 10ct(V)	5.32
6034	Chocolate Health Shake 2oz powder (V)	3.19	7109	Pop Tart Brown Sugar 2ct(V)	1.48
6035	Vanilla Health Shake 2oz powder (V)	3.19	7112	Sugar Packets 10ct (V+)	1.06
6050	SF Fruit punch drink mix 10pk (K)(V+)	3.72	7114	Granola Bar Peanut Butter (K)(S)(V)	0.74
6052	SF Orange drink mix 10pk (K)(V+)	3.72	7115	Granola Choc. Chip (K)(S)(V)	0.74
6053	SF Ice Tea drink mix 10pk (K)(V+)	3.72	7116	BBO Sauce PC (V)	0.16
	CHIPS / SNACKS		7117	Mac & Cheese 3oz (K)(V)	3.40
7003	Little Debbie Oatmeal Creme Pie Box (K)(V)	4.53	7118	Ranch Dressing PC (V)	1.06
7004	Grandmas Peanut Butter Cookie (K)(V)	1.27	7121	Peanut Butter Cracker Singles (K)(V)	0.84
7006	Duplex Cookie 5oz (K)(S)(V+)	1.80	7124	Taco Filling w/ Chicken 11.25oz	6.39
7007	Lemon Creme Cookie 5oz (K)(S)(V+)	1.80	7128	Lasagna Pouch 11.25oz	4.25
7008	Peanut Butter Creme Cookie 5oz (K)(S)(V+)	1.80	7139	Peanut Butter 18oz (K)(S)(V+)	5.32
7009	Vanilla Creme Cookie 5oz (K)(S)(V+)	1.80	7141	Pork Rinds Hot & Spicy 2oz	2.33
7010	Oatmeal Apple Cinnamon SINGLE PACKET(K)(V+)	0.74	7142	Chocolate Chip Cookie 12oz (K)(S)(V)	3.19
7011	Oatmeal Brown Sugar SINGLE PACKET(K)(V+)	0.74	7144	Sweet Relish 6oz (K)(V+)	5.32
7012	Jalapeno Slices 1oz (K)(S)(V)	1.06	7147	Ritz Crackers Full box (K)(V+)	4.25
7013	Hot Peanuts (K)(V+)	1.27	7148	Saltine Crackers Full Box (K)(V+)	3.72
7015	Little Debbie Brownie Box (K)(V)	4.53	7149	Toaster Pastries Strawberry 6ct Box (V)	3.72
7016	Cheez Its (K)(V)	1.38	7151	Toaster Pastries Brown Sugar/Cinnamon 6ct Box (V)	3.51
7017	Little Debbie Star Crunch Box (K)(S)(V)	4.74	7152	Blazin Hot Cheese Crunchy Nibblers 7oz (V)	1.48
7020	Jalapeno Cheese Tub 11.5oz (V)	6.45	7153	Plain Bunsel (V+)	1.06
7021	Squeeze Grape Jelly (V+)	0.63	7154	Cream Cheese Packet 2oz(V)	1.80
7022	Cheetos (V)	1.59	7169	Chocolate Mini Donuts 6 ct (V)	0.03
7024	Cheetos Flamin' Hot (V)	1.59	7285	Chi-Chis Rct Tortilla (K)(V+)	0.11
7027	Chili Ramen(V+)	1.06		SPECIAL	
7028	Picante Beef Ramen	1.06	8924	INDIGENT Bic Razor	0.43
7029	Beef Ramen	1.06	8982	Sonoma County Assistance Bags	2.60
7030	Chicken Ramen	1.06	8985	Indigent 2oz Shampoo/Body Wash BOTTLE	0.59
7032	Squeeze Peanut Butter (V+)	1.27	8986	Indigent Deodorant .5oz	0.53
7033	Squeeze Cheddar Cheese 2oz(V)	1.38	8987	Indigent Soap 3oz	0.32
7034	Squeeze Jalapeno Cheese 2oz (V)	1.38	8988	Indigent Ibuprofen 2ct	0.37
7035	Pre-Cooked White Rice 2oz (K)(S)(V+)	1.48	8999	Indigent Acetaminophen 2ct	0.03
7036	Pop Tart Strawberry 2ct (V)	1.48	9000	Indigent 1 Sheet of Paper	0.11
7041	Spanish Rice 2.5oz (V)	1.59	9001	Indigent Comb	

Appendix D. Bookings and Unsented Individuals?

When an individual is brought to the MADF for booking, the first thing the arresting officer does is explain the Probable Cause that justified the arrest to the booking officer. This starts the arraignment process, which requires the State and its representatives to bring the detainee to a Court hearing within 48 hours of arrest (with some exceptions for holiday weekends and emergency cases).

Unsented Inmates.

“Unsented inmates” are new bookings, inmates who cannot be released on their own recognizance (OR), cannot make bail, and are unbailable for release via court action. All are pending court arraignment or trials. Court actions may change their status to OR, lower bail or monitored release on electronic ankle bracelet. The District Attorney, Public Defender, and private attorneys also have a role in “release or keep” detention decisions.

In 1987, California’s highest court ruled that judges must consider a suspect’s ability to pay when they set bail, a decision that requires those who can’t afford bail be freed unless they are deemed too dangerous to be released awaiting trial. Justice Cuellar, California Appellate Court, wrote “Where a

financial condition is nonetheless necessary, the court must consider the arrestee's ability to pay the stated amount of bail and may not effectively detain the arrestee 'solely because' the arrestee 'lacked the resources' to post bail." The justices said in a unanimous decision "The common practice of conditioning freedom solely on whether an arrestee can afford bail is unconstitutional."

In 2018, Senate Bill SB10 required that persons arrested and detained to be subject to a pretrial risk assessment conducted by Pretrial Assessment Services, report the results of the risk assessment to the court, and make recommendations for conditions of release of individuals pending adjudication of their criminal cases. Every unsentenced inmate currently in the MADF has been through pretrial assessment and is incarcerated because they are a flight risk, danger to the public, pending charges in another jurisdiction in addition to Sonoma County, or risk assessment determined they should not be released and the courts agreed. You can learn more about bail and release in [California Penal Code §1268-1320.6](#).

MADF's unsentenced inmate population is 50-60% of housed inmates, generally below the national average of 65% ⁴. The number of unsentenced inmates stays at or near this level because the number of unsentenced inmates being released and the number of unsentenced inmates being booked into MADF is and relatively constant.

Reviewers of this report had questions about this category of inmates that we felt should be explained further. The main questions are: "why is the percentage of unsentenced prisoners so high?"; and "how long they are there?"

The arraignment process will result in one of 3 outcomes: the detainee is released for lack of cause, the detainee is released on bail, or bound over pending further hearings. What are the reasons for a detainee being held prior to trial? There are many (some of them are detailed in [Penal Code 1370, Title 10 of the California Criminal Code](#)).

Here's an approximation of the number of Sonoma County inmates in each category in April, 2024:

BOOKING STATISTICS FROM 04/01/2024 0001 TO 04/15/2024

Type		Women	Men	Total
FULL BOOKING		111	347	458
SUPPLEMENTAL		3	14	17
BOOK, PRINT & RELEASE		1	3	4
DETAINEE		0	0	0
ABSENTIA		0	0	0
COMMITMENT		2	5	7
CHECK IN		7	12	19
SUPPLEMENTAL - ADD WARRANT		0	0	0
SUPPLEMENTAL COMMITMENT		0	1	1
Interfacility Transfer		0	17	17
TOTAL		124	399	523

⁴ [California Inmate Population trends https://trends.vera.org/state/CA](https://trends.vera.org/state/CA)

Responses to the 2022-2023 Sonoma County Civil Grand Jury Reports

Providing Continuity by Following Through on Previous Investigations

SUMMARY

The 2023-2024 Sonoma County Civil Grand Jury has reviewed the responses to the investigations and recommendations made by the 2022-2023 Grand Jury. The 2022-2023 Grand Jury issued three investigative reports. This summary addresses the responses from the responsible entities named in those reports. Although respondents did not adopt all Recommendations, their responses do comply with the requirements of the Penal Code, except where noted.

BACKGROUND

The Civil Grand Jury system in California exists to promote effective and efficient local government. The Penal Code gives the Grand Jury broad investigative powers to provide oversight to county, city governments, and special districts within Sonoma County, bringing positive change in the best interest of all residents.

Each year the Grand Jury investigates local government institutions and issues reports containing the results of these investigations. Within each report are Findings that lead to Recommendations for improvement. Governing bodies and officials are required to respond to the Findings and Recommendations in a form and within a timeframe set out by the Penal Code. Boards are required to respond within 90 days of the release of a grand jury's report; elected officials are required to respond within 60 days. (Penal Code 933.05)

Succeeding grand juries review these responses and determine whether they meet the requirements of the Penal Code. This review establishes continuity from one grand jury to the next. The seated grand jury may evaluate responses for adequacy and determine whether appropriate steps have been taken to implement Recommendations.

METHODOLOGY

The Grand Jury evaluated responses for compliance using the governing sections of [Penal Code 933.05](#).

DISCUSSION

According to the Penal Code, governing bodies and officials are required to respond to *Findings* in Grand Jury reports and the respondent shall indicate one of the following:

- The respondent agrees with the Finding.
- 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 of the reasons therefor.

According to the Penal Code, as to each Grand Jury *Recommendation*, the respondent shall report one of the following actions:

- The Recommendation has been implemented, with a summary regarding the implementation action.
- The Recommendation has not yet been implemented, but will be implemented in the future, with a timeframe for implementation.
- 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 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 publication of the Grand Jury report.
- The Recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.

CONCLUSION

The 2023-2024 Sonoma County Civil Grand Jury concluded that the responses to the 2022-2023 Grand Jury Recommendations are in compliance with the Penal Code. In addition, the 2023-2024 Grand Jury has included its observations on those responses.

A copy of the full 2022-2023 Grand Jury report and responses received can be located within the County of Sonoma, Superior Court of California website.

2022-2023 Grand Jury Response Summary Chart

CITY OF SONOMA CEMETERIES:

Don't Bury Your Problems

RES: Respondent

SCM: Sonoma City Manager

SCC: Sonoma City Council

RECOMMENDATIONS	RES	RESPONSES	2023-2024 GJ OBSERVATIONS
R1 By July 31, 2023, The City of Sonoma contacts the California Department of Tax and Fee Administration to establish procedures to collect, report, and pay sales tax on tangible items sold at the cemeteries.	SCM, SCC	An examination of transactions from the Cemetery Enterprise was carried out. It was determined that tangible items were not being sold directly to customers, but rather were included in the internment packages sold and therefore not subject to a sales tax. In those situations, the Cemetery Enterprise is considered a consumer and they have arranged to pay sales tax when purchasing these items from their vendors. The CDTFA judged this to be an allowable practice.	The Grand Jury acknowledges that this Recommendation has been implemented.
R2 By December 31, 2023, The City of Sonoma conducts a thorough analysis of the systems, processes, and procedures related to cemeteries, to include the current software program used. The Grand Jury is aware that the City of Sonoma has cited their intention, in their fiscal year (2022-2023) goals, to complete a financial analysis of the Cemetery Fund and develop a plan for resolution of the deficit in the Fund, and we encourage the City to include an operational analysis as well. (F1, F2, F3, F4, F7)	SCM, SCC	The City of Sonoma Cemeteries Monument Services Fee was updated in July 2023 to reflect the actual costs incurred by the City for products and services. Based on the recommendations of a study by LF Sloane Consulting Group the city took several steps including using general fund money to expand capacity and developing a user-friendly price list of services and products. With the help of LF Sloane, the city is drafting a 2024-25 budget that will reorganize the staff and address operational shortfalls.	The Grand Jury acknowledges that this Recommendation has been implemented.
R3 By December 31, 2023, the City of Sonoma will develop a policies and procedures manual for the operations of the Cemetery Program. (F1, F2, F4, F5, F7)	SCM, SCC	A draft of a comprehensive Policy and Procedures manual for the City of Sonoma Cemeteries is currently being reviewed by staff. (2/13/24)	The Grand Jury acknowledges that this Recommendation will be implemented.

<p>R4 By December 31, 2023, the City of Sonoma designates a manager to oversee the cemetery day-to-day operations. (F2)</p>	<p>SCM, SCC</p>	<p>The Assistant City Manager is currently responsible for the oversight of the cemeteries and addressing operational issues. In December 2023, the City Finance Committee recommended a manager position be included for funding as part of the 2023-24 Mid-Year Budget adjustments. A job description has been drafted and is scheduled for City Council approval in March to be formally included as part of the mid-year budget in April.</p>	<p>The Grand Jury acknowledges that an interim solution has been implemented.</p> <p>The City of Sonoma anticipates approval of a permanent managerial position by April of 2024.</p>
<p>R5 By December 31, 2023, the City of Sonoma conducts a thorough review of the Cemetery Endowment Fund. The Grand Jury is aware that the City of Sonoma has cited their intention, in their fiscal year (2022-2023) goals, to complete a financial analysis of the Cemetery Fund and develop a plan for resolution of the deficit in that fund and the Grand Jury recommends that the Endowment fund is included in that analysis. (F3, F5)</p>	<p>SCM, SCC</p>	<p>In September 2023, L.F. Sloane Consulting Group presented a Cemetery Action Update to the City Council. Based on the report, the City Council approved a 2023-2024 Cemetery Price Lists including Endowment Fund contributions that will bring Endowment Fees in line with current costs and market conditions.</p> <p>The Finance Committee approved moving the Endowment Fund to the City Local Agency Investment Fund to increase returns. The plan is to first address the issue of operational losses, and then determine if the Cemetery Fund should be absorbed into the General Fund and no longer treated as an enterprise.</p>	<p>The Grand Jury acknowledges that this Recommendation has been implemented.</p>

OUTSOURCING PETALUMA PLANNING DEPARTMENT***Is It Better or Is It Easier?*****RES: Respondent PCC: Petaluma City Council**

RECOMMENDATIONS	RES	RESPONSES	2023-2024 GJ OBSERVATIONS
R1 By December 31, 2023, the City completes a cost-benefit analysis of using a private firm versus employees to staff the planning department. (F1, F2, F3, F4)	PCC	The City of Petaluma routinely performs a cost/benefit analysis with City contracts and recently completed a cost/benefit study on M-Group which can be found in Appendix A of the Fiscal Year 2023/24 budget preparation.	The Grand Jury acknowledges that this Recommendation has been implemented.
R2 By no later than March 1, 2024, the City opens an RFP for planning services and considers a combination of city employees and private contractors to staff the planning department. (F1, F3)	PCC	Before the conclusion of the current contract with M-Group in July of 2026, the City will release a RFP to solicit proposals from multiple private firms prior to initiating a new contract for planning services. The City of Petaluma will continue to consider the best combination of City employees and private contractors to provide the best, most cost-effective service delivery for the Petaluma community. The city has determined that an employee-only model would be more expensive and provide no higher level of service.	The Grand Jury acknowledges that this recommendation will be implemented in the future.
R3 By September 30, 2023, the City requires M-Group to provide badges or logos to their employees that identify them as M-Group employees. (F5)	PCC	This recommendation was implemented before the publication of the Grand Jury report. All M-Group employees now have an identification badge.	The Grand Jury acknowledges that this recommendation has been implemented.
R4 By August 31, 2023, the City requires M-Group to direct their employees to include their firm's logo and or name in their email signature. (F6)	PCC	An updated email signature is being used by all M-Group staff.	The Grand Jury acknowledges that this recommendation has been implemented.
R5 By August 31, 2023, the City includes an M-Group designation on each staff listing under the planning staff directory on the website. (F7)	PCC	The staff directory now identifies M-Group staff as M-Group Consulting Planners.	The Grand Jury acknowledges that this recommendation has been implemented.

R6 By December 31, 2023, the City conducts a formal survey of the citizens of Petaluma to better understand their awareness and understanding of the outsourcing of the planning department and their experiences interacting with M-Group employees. (F5, F6, F7)	PCC	<p>The City Council states that they and other local leaders are “attuned to the community’s values and all of its needs”. To that end, they will “continue to ensure that all City services are delivered to the public in the best, most cost-effective way possible. This applies to all City services, not just to one type of City service, such as planning services.”</p> <p>A survey focusing on “the full range of existing City services” will be conducted by December 31, 2024.</p>	The Grand Jury acknowledges that this recommendation will be partially implemented.
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WARMING CENTERS:**County Action Needed Now****RES: Respondent BOS: Board of Supervisors SPI: Sonoma Public Infrastructure**

Recommendations	RES	Responses	2023-24 GJ Observations
R1 By September 30, 2023, the Board of Supervisors will develop and implement formal policies and procedures for protecting unhoused people in the County of Sonoma during cold weather emergencies. (F1 through F13)	BoS	The Sonoma County BOS did not issue a formal response to the Grand Jury’s Recommendations. However, in June of 2023, the BOS unanimously approved a plan, known as the Extreme Temperature Response Plan. This plan contains policies and procedures for protecting unhoused people during cold and hot weather emergencies.	<p>The Grand Jury acknowledges that this Recommendation has been implemented.</p> <p>In June, 2023, the Department of Emergency Management supported this initiative for both Warming and Cooling Centers and established criteria for activation.</p> <p>Details of this plan can be found on the Sonoma County Department of Emergency Management’s website (socoemergency.org)</p>

R2 By September 30, 2023, the Board of Supervisors defines the parameters to be used to declare a cold weather emergency in the County, including assignment of responsibilities for declaring and communicating a cold weather emergency to the responsible departments. (F3, F11, F12)	BoS	Parameters for declaring a cold weather emergency and a hot weather emergency can be found in the Extreme Temperature Response Plan, located on the Sonoma County Department of Emergency Management's website.	The Grand Jury acknowledges that this Recommendation has been implemented.
R3 By September 30, 2023, the Board of Supervisors designates the County employee (as defined by the policy recommended in R1) who has the authority to declare a cold weather emergency that would initiate the opening of warming centers. (F1, F5, F11)	BoS	The BOS intends to designate a county employee to use the criteria outlined in the Extreme Temperature Response Plan to declare cold and hot weather emergencies.	The Grand Jury acknowledges that this Recommendation has been implemented. Responsibility for declaring a temperature emergency is shared between the Sonoma County Health Officer and the Director, Emergency Management Department.
R4 In order for the Board of Supervisors to make informed decisions regarding the need for warming centers, by September 30, 2023, the Board will direct staff (as defined by the policy recommended in R1) to collect data, including but not limited to: the number of individuals accessing warming centers throughout the county; the cost per day of operating warming centers throughout the county; the number of individuals denied access to warming centers because of a lack of capacity; the number of unhoused individuals who died from exposure to severe cold. (F3, F4, F8)		DHS will coordinate with County providers on capacity, expansion, unmet needs and center information. DHS will coordinate with the Coroner and EMS patient data to monitor and report on increased temperature related deaths or injuries.	The Grand Jury acknowledges that this Recommendation has been implemented.

<p>R5 Beginning April 1, 2024, and every year thereafter on or about April 1, the Board of Supervisors will direct the County Administrative Officer (CAO) to present an after-action report to the Board regarding the effectiveness of County staff in supporting warming centers during episodes of severe cold over the previous winter. Using data identified in R4, collected over the past winter, the CAO will identify both successful efforts to support warming centers and areas that need improvement. (F3, F4, F8)</p>	<p>BoS</p>	<p>Using data collected identified in Recommendation 4, the CAO will present a report to the BOS that identifies successes and areas that need improvement.</p>	<p>The Grand Jury acknowledges that this Recommendation will be implemented in the future.</p>
<p>R6 By December 31, 2023, the Board of Supervisors will direct staff to identify facilities within the unincorporated areas of the County that can be used as warming centers, and sign MOUs with the management of such facilities as necessary. (F4, F6)</p>	<p>SPI</p>	<p>Warming centers are available in Guerneville, Healdsburg, Petaluma, Santa Rosa, Sebastopol and Sonoma.</p>	<p>The Grand Jury acknowledges that this Recommendation has been implemented.</p>
<p>R7 By September 30, 2023, the Board of Supervisors will direct the responsible department (as defined in the policy recommended in R1) to identify County facilities, including unused or underutilized facilities, that will be available to be used as warming centers for unhoused people in extreme cold weather. (F6)</p>	<p>SPI</p>	<p>Sonoma Public Infrastructure (SPI) has responded that The Department of Human Services will identify potential warming/cooling center locations. SPI will support this effort by also identifying County facilities, including unused or under-utilized facilities to be used as warming/cooling centers.</p>	<p>The Grand Jury acknowledges that this Recommendation has been implemented.</p>
<p>R8 By September 30, 2023, the Board of Supervisors, in accordance with its adopted policy, will provide sufficient funding to support opening and maintaining warming centers during episodes of extreme cold weather emergencies. (F6, F8)</p>	<p>BoS</p>	<p>Sufficient funding has been provided to support the warming centers listed in response to R6, above.</p>	<p>The Grand Jury acknowledges that this Recommendation has been implemented.</p>

Responses to Sonoma County Civil Grand Jury Reports: 2018-2019 through 2021-2022

Every year the Civil Grand Jury produces a Continuity Report reviewing official responses to the previous year's Grand Jury reports. Agencies and elected officials that receive a Grand Jury report are required to respond to it in one of three ways:

- The report's findings may be wholly accepted, or rejected, as written.
- The report's findings may be partially accepted and partially rejected, or
- The report's findings require further analysis.

No follow-up action (by either the Grand Jury or the respondent) is required in cases where findings are accepted or rejected. When the respondent indicated that a recommendation required further analysis, however, the public is entitled to know what that analysis concluded; this report will tell you.

Similarly, regarding a report's recommendations, agencies and elected officials must respond in one of four ways:

- The recommendation is accepted and has already been implemented.
- The recommendation is rejected, and no further action will be taken.
- The recommendation requires further analysis (which should be completed within six months of publication of the Grand Jury report).
- The recommendation has not yet been implemented but will be implemented in the future.

State law requires the heads of government agencies and elected officials to respond within 60 days of the Grand Jury's issuance of a report; agencies run by boards are allowed an additional 30 days. Of course, substantive issues may not be resolved by the time the subsequent Grand Jury issues its Continuity Report. Responses stating that "further analysis is required" or that "recommendations will be implemented in the future" are a commitment to action that probably won't be monitored or reported: this can be a convenient way for respondents to kick the can down the road (and sometimes hope it goes unnoticed).

This year, the Sonoma County Grand Jury decided to review Grand Jury reports from 2018 to 2022. The Grand Jury looked at all responses to recommendations that promised further analysis or future action to see whether these commitments had been fulfilled and promised actions had been taken.

The following tables show the status of findings and recommendations that were not resolved in prior years' reports, and whether government commitments for future action were eventually met. We're pleased to note that most government commitments were fulfilled and here the Grand Jury is equally pleased to share the list of items still outstanding.

Civil Grand Jury Report 2018-2019 Updated Responses

Will There Be Water After an Earthquake?

Sonoma County Residents Face Big Challenges

Unresolved Recommendations and Current Status	Implemented
<p>R1 Sonoma Water review and establish viable options for accelerating how rapidly the highest-priority mitigation measures are being funded and implemented, by December 31, 2019.</p> <p>Current Status: Compliance confirmed with agency acknowledgement. Sonoma Water continues to study and establish viable funding options for highest-priority water mitigation measures.</p>	Yes
<p>R2 Sonoma Water maintain inventory lists with current goals for items, quantities, locations, and sourcing; and improve stockpiling accordingly, by December 31, 2019.</p> <p>Current Status: Compliance confirmed with agency acknowledgement. Sonoma Water now maintains inventory lists with goals for items, quantities, locations and sourcing, and it has improved stockpiling of emergency items.</p>	Yes
<p>R3 Sonoma Water and water contractors derive and publicize more realistic outage periods and provide updated information to the public, by December 31, 2019.</p> <p>Current Status: Compliance confirmed with agency acknowledgement. Sonoma Water and Individual Water Contractors (WCs) continue to study options for more realistic outage periods and for methods of providing updated information to the public.</p>	Yes
<p>R4 Sonoma Water improve coordination with water contractors, including field exercises, by December 31, 2019.</p> <p>Current Status: All water contractors have confirmed that Sonoma Water is working with the agency to coordinate operations and plans for water management.</p>	Yes

<p>R5 Water contractors study options for making local systems more adaptable under emergency conditions—such as dedicated supply loops, digitally monitored metering, or automatic shut-down valves, by December 31, 2019.</p> <p>Current Status: Individual WCs are studying options for increasing water storage and reserve capacity, and for engaging multiple supply sources, in order to increase resilience in emergencies.</p>	Yes
<p>R6 Sonoma Water prepare and maintain one or more SOPs (Standard Operating Procedures) for the restoration of water deliveries specifically for an earthquake; SOPs should be updated annually or whenever there are changes to procedures, by December 31, 2019.</p> <p>Current Status: Sonoma Water and Water Contractors now have standard operating procedures in place to deal with the restoration of water deliveries after an earthquake. These procedures are evaluated and updated annually.</p>	Yes

The Jailhouse Rocks:

Main Adult Detention Facility

Unresolved Recommendations and Current Status	Implemented
<p>R1 MADF should add hours to the booking area during evening and night shifts by December 31, 2019.</p> <p>Current Status: MADF now has a contract for 4.2 full-time equivalent registered nurses that provides a designated RN in booking 24 hours a day.</p>	Yes
<p>R3 MADF add discharge planning hours to strengthen hand-offs to appropriate health care providers by December 31, 2019.</p> <p>Current Status: MADF currently has a medical-dental contract with .6 FTE dedicated to discharge planning and an RFP for a substance-use disorder program vendor. This RFP includes a 1.0 FTE discharge planner.</p>	Yes

<p>R5 MADF reevaluate its policy on the use of support medications for opioid abuse reflecting current best practices by December 31, 2019.</p> <p>Current Status: A Medication Assisted Treatment (MAT) program was implemented on April 1, 2021. The program is designed for patients who were started on MAT medications (Methadone, Naltrexone, Buprenorphine) in the community within three months prior to incarceration. Currently, the MADF MAT program is for continuation only, but on release participants are provided tools for successful community reentry. These include community clinical appointments, Narcan, educational pamphlets and a list of community resources. Nasal Narcan is also offered and provided to known opiate users not eligible for MAT.</p> <p>A substance abuse counselor conducts weekly individual counseling sessions with all MAT patients. All MAT patients take part in evidence-based, curriculum-oriented substance abuse recovery programs.</p>	Yes
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THE BEHAVIORAL HEALTH BUDGET:

A Perfect Storm

Unresolved Recommendations and Current Status	Implemented
<p>R1 The County Administrator's Office (CAO) will create and maintain policy and procedural manuals for each Department of Health Services (DHS) department and desk manuals for all positions in the Fiscal and Behavioral Health Divisions.</p> <p>Current Status: In October of 2023, the CAO office confirmed that the DHS fiscal team has fulfilled the 2018-19 Grand Jury recommendation to improve Behavioral Health budget practices and that the DHS is adhering to the County's Financial and Budget policies, reviewed and approved by the Board annually. Also see the DHS response to R5.</p>	Yes
<p>R5 DHS will continue and expedite the Community Based Organization (CBO) contract evaluation and build performance metrics.</p> <p>Current Status: DHS has stated that it drafted and adopted specific budgetary policies and procedures in the summer of 2019 to address this finding. CAO staff continues to work closely with DHS Finance on budgetary matters—through the normal budget cycle and through board items. Despite this response, from 2022 to the present, DHS contract performance has been problematic, and no performance metrics are being published.</p>	No

MANAGING PUBLIC PROPERTIES IN SONOMA COUNTY:***Uncoordinated Decisions and Neglect***

Unresolved Recommendations and Current Status	Implemented
<p>R6 The County Administrator and General Services Director (GSD) will assign resources such as sufficient staffing for determining and setting deferred-maintenance valuations.</p> <p>Current Status: Valuations and prioritization of deferred-maintenance needs were presented to the Board of Supervisors (BOS) on September 9, 2019. On September 24, 2019, the BOS approved funding for these projects.</p>	Yes
<p>R7 The Auditor-Controller-Treasurer-Tax Collector (ACTTC) will review assets with accumulated deferred maintenance and will adjust the record of accumulated depreciation if material impairment is found.</p> <p>Current Status: The ACTTC confirms that assets impaired by deferred maintenance are reported appropriately in the Comprehensive Annual Financial Report.</p>	Yes

Civil Grand Jury Report 2019-2020 Update

SONOMA COUNTY SHERIFF-CORONER'S OFFICE:

The Resurrection of a Coroner's Office

Unresolved Recommendations and Current Status	Implemented
<p>R1 The Board of Supervisors, working in conjunction with the Sheriff's Office and the Coroner's Office Lieutenant, identify a new location for the Coroner's Office and Morgue facility by December 1, 2020.</p> <p>Current Status: The Coroner's Office has moved to 2796 Ventura Ave. in Santa Rosa.</p>	Yes

HOMELESS YOUTH: Sonoma County in Dubious First Place

Unresolved recommendations and Current Status	Implemented
<p>R1 The Board of Supervisors commit to reducing the number of homeless young people in Sonoma County to functional zero within three years.</p> <p>Current Status: A reduction in the number of homeless youth was noted in the 2023 <i>Point in Time</i> report.</p>	Yes
<p>R2 Sonoma County Community Development Commission increase the number of shelter beds for homeless youth, keeping in mind the needs for safe space for young people, by February 28, 2021.</p> <p>Current Status: The number of beds for homeless youth has increased relative to the current number of homeless people, as noted in the 2023 <i>Point in Time</i> report.</p>	Yes
<p>R5 Sonoma County Department of Health Services establish a drug and alcohol program specifically designed to treat youth with substance abuse disorders, by February 28, 2021.</p> <p>Current Status: DHS has established a Substance Use Disorder program for youth located at 2255 Challenger Dr. in Santa Rosa.</p>	Yes
<p>R12 Sonoma County Community Development Commission establish and budget for a Youth Action Board to improve the chances of federal funding through HUD's Youth Homelessness Demonstration Program, by February 28, 2021.</p> <p>Current Status: A Youth Action Board and budget have been established, as noted in the Youth Action Board minutes.</p>	Yes

<p>R13 The Sonoma County Board of Supervisors and Sonoma County Administrator's Office identify, by December 31, 2020, a stable funding source to support sustainable programs that will reduce youth homelessness to functional zero.</p> <p>Current Status: To the extent possible, these funding sources have been established as noted in the 2023 County Strategic Plan.</p>	Yes
<p>R14 The Sonoma County Board of Supervisors and Sonoma County Administrator's Office develop and implement, by June 30, 2021, a procedure for County departments to consistently identify and track the cost of services provided to the homeless population.</p> <p>Current Status: Funding for services to the homeless, including homeless youth, is identified in the <i>Budget Binder</i> memo.</p>	Yes

SONOMA COUNTY HAS A HOMELESS CRISIS:

Is There a Response Plan?

Unresolved Recommendations and <i>Current Status</i>	Implemented
<p>R1 The Sonoma County Board of Supervisors direct the Leadership Council to develop policies and procedures to manage the homeless crisis on a Countywide and strategic basis by December 31, 2020.</p> <p>Current Status: A Continuum of Care strategic plan was developed and approved by the county.</p>	Yes
<p>R2 The Leadership Council develop and implement a strategy for funding appropriate shelter space that addresses the needs of sub-groups within the homeless community by December 31, 2021.</p> <p>Current Status: The Continuum of Care plan includes strategies for subgroups of the homeless population.</p>	Yes
<p>R3 The Leadership Council adopt a plan to deal with homeless encampment emergencies by December 31, 2020.</p> <p>Current Status: A protocol for dealing with encampments is now in place based on recommendations to the Leadership Council in 2021.</p>	Yes
<p>R4 The Sonoma County Board of Supervisors develop a funding source for consistent and predictable funding of homeless programs by December 31, 2021.</p> <p>Current Status: Funding sources have been identified by the Continuum of Care Council.</p>	Yes

<p>R5 The Department of Health Services and Community Development Commission remain under single leadership.</p> <p><i>Current Status:</i> Consulting firm KPMG completed this study and the Homeless Services Division was established to provide integrated services.</p>	Yes
<p>R6 The County of Sonoma Board of Supervisors direct the County Administrator to develop a methodology for tracking all costs of homeless services and programs across County agencies by June 30, 2021.</p> <p><i>Current Status:</i> Funding for countywide homeless services is identified in the <i>Budget Binder</i> memo.</p>	Yes

EMERGENCY WATER SHORTAGES IN SONOMA VALLEY:

The Situation Has Worsened

Unresolved Recommendations and <i>Current Status</i>	Implemented
<p>R3 The Valley of the Moon Water District and the City of Sonoma interconnect their distribution systems and establish an agreement for sharing water during emergencies by December 31, 2020.</p> <p><i>Current Status:</i> The two agencies have connected their water distribution systems and have a plan for sharing water during emergencies.</p>	Yes
<p>R4 Sonoma Water, Valley of the Moon Water District, the City of Sonoma, Permit Sonoma, and the California Department of General Services form an agreement by October 31, 2020, that potable water storage facilities at Sonoma Developmental Center shall remain active and available for shared access during emergencies.</p> <p><i>Current Status:</i> This recommendation was addressed in the publication <i>Regional Water Supply Resiliency</i>.</p>	Yes
<p>R5 The Valley of the Moon Water District accelerate its program for expanding well capacity and water storage by December 31, 2020.</p> <p><i>Current Status:</i> VOMWD has added two new wells, Pedroncelli and Craig.</p>	Yes
<p>R6 The Valley of the Moon Water District establish specific emergency water-use restrictions and communicate them to its customers by September 30, 2020.</p> <p><i>Current Status:</i> A Water Management Plan and website have been established.</p>	Yes

<p>R7 By September 30, 2020, the Valley of the Moon Water District inform customers annually, or when conditions change, regarding risks and deficiencies in the emergency water supply and any actions taken to mitigate them.</p> <p>Current Status: Information is shared with customers regularly via the website and inserts included with customer bills.</p>	Yes
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SONOMA VALLEY REGIONAL WATER RESOURCES:

Water for a Changing future

Unresolved Recommendations and <i>Current Status</i>	Implemented
<p>R1 Sonoma Water review and establish viable options for accelerating how rapidly the highest-priority mitigation measures are being funded and implemented, by December 31, 2019.</p> <p>Current Status: This recommendation was addressed in the publication <i>Regional Water Supply Resiliency</i>.</p>	Yes
<p>R4 Sonoma Water improve coordination with water contractors, including field exercises, by December 31, 2019.</p> <p>Current Status: Permit Sonoma reviewed the Water Supply Assessment and communicated the results to both Water Districts.</p>	Yes

CIVIL GRAND JURY REPORT 2020-2021 UPDATED RESPONSES

BROADBAND ACCESS IN SONOMA COUNTY

Broadband IS a Utility; The Quiet Crisis of Availability

Unresolved Recommendations and Current Status	Implemented
<p>R1 The Sonoma County Board of Supervisors consider recognizing and designating broadband as a “Utility” that needs prioritization by October 31, 2021.</p> <p>Current Status: On March 2, 2021, the BOS approved a 5-year strategic plan that includes broadband deployment and access. It does not include designation of broadband service as a utility.</p>	Partially
<p>R4, R7, R8, R9 and R10 Current Status: These recommendations depend on broadband’s being designated as a utility. See R1.</p>	Partially

COUNTY JAIL INMATE TELEPHONE AND COMMISSARY:

Overcharging a Captive Population

Unresolved Recommendations and Current Status	Implemented
<p>R2 By September 30, 2021, the Sheriff’s Office develop a new communications model to provide for sufficient telephone kiosks to allow the inmate population free telephone and video visitation for at least 90 minutes per week until such time as a new communication contract is in effect.</p> <p>Current Status: According to the Sheriff’s Office, inmates are allowed 70 minutes of phone calls per week at a cost to them of \$.07 per minute. Prior to Covid, inmates were charged \$.21 per minute. There are no additional telephone kiosks in place and there are no video visits.</p>	Partially
<p>R5 The Sheriff’s Office reevaluate its commissary markup to be in line with grocery store, as opposed to convenience store, pricing, on or before September 1, 2021.</p> <p>Current Status: The commissary is now run by Summit, an outside company. More items are available to inmates, some at a lower cost, but many items are still marked up much more than grocery store prices.</p>	Partially

<p>R6 By September 30, 2021, the Sheriff's Office, using the reserve Inmate Welfare Trust funds, resume all inmate programs in existence pre-Covid, with funding at the same level once Covid restrictions are lifted.</p> <p>Current Status: According to the Sheriff's Office, inmate programs are being resumed. In-person classes as well as online classes are now offered.</p>	Partially
<p>R7 The Sheriff's Office restructure the 10-member Inmate Welfare Trust Committee by December 31, 2021, to include more diverse representation, for example, community members, financial analysts, social workers and educators to bring the Committee more in line with the requirements of Penal Code 5006 regarding commission membership standards to State Prisons.</p> <p>Current Status: The jail does not have to abide by the penal code for state prisons. However, according to the Sheriff's Office there are now two civilians on the Inmate Welfare Trust Committee, including one educator. The remaining committee members are composed of Sheriff's Office staff.</p>	Partially

COVID MITIGATION AND THE COUNTY JAIL

And its Unexpected Consequences

Unresolved Recommendations and Current Status	Implemented
<p>R1 The Sheriff's Office develop, no later than September 1, 2021, a policy to restore out of cell activity, in person and video visitation, and all programs to pre-pandemic levels.</p> <p>Current Status: In-person visits, and some classes and programs for inmates, have been resumed. There is little out-of-cell-activity and there are no video visits.</p>	Partially
<p>R4 The Sheriff's Office and the Board of Supervisors work together to develop a plan by December 31, 2021, to increase the contracted Wellpath resources to fund four additional Wellpath discharge planners for mental health and medical assignment to the Main Adult Detention Facility.</p> <p>Current Status: Wellpath services have not increased.</p>	No
<p>R6 The Sheriff's Office implement a surveillance-testing program and require 100% participation by all unvaccinated jail staff by September 1, 2021.</p> <p>Current Status: The Public Health Order regarding Covid has been rescinded, so the vaccine mandate is no longer applicable.</p>	N/A

EMERGENCY ALERTS AND COMMUNICATIONS***Toward a Culture of Preparedness***

Unresolved Recommendations and Current Status	Implemented
<p>R2 By October 31, 2021, the Board of Supervisors review and propose additional alert and warning methods such as air raid sirens and public address systems to put contingencies in place when broadband fails or is not available.</p> <p>Current Status: Additional alert and warning systems have been implemented in some county locations. The BOS and Department of Emergency Management (DEM) continue to explore ways to improve and expand warning systems.</p>	Yes
<p>R7 By March 31, 2022, the Sheriff's Office and Board of Supervisors provide funding to maintain the communication tower equipment/repeaters.</p> <p>Current Status: Maintenance of communication-tower equipment is now a budgeted item.</p>	Yes
<p>R13, R14 By October 31, 2021, the Department of Emergency Management update the County Emergency Operations Plan to incorporate and post on the Department of Emergency Management website the most up-to-date information and Recommendations from the After Action Reports since the disasters of 2017. An updated Emergency Operations Plan will be approved by the BOS and posted on the DEM website.</p> <p>Current Status: In March of 2022 an updated Emergency Operations Plan was published and posted on the DEM website.</p>	Yes
<p>R19 By December 31, 2021, the Department of Emergency Management publicize the work of community preparedness groups such as Citizens Organized to Prepare for Emergencies, Community Emergency Response Teams, and Community Organizations Around Disasters to more effectively reach all residents about emergency alerts and warnings.</p> <p>Current Status: The work of community preparedness groups is publicized on a regular basis.</p>	Yes

ROHNERT PARK ELECTION DISTRICTS:***Transitioning from At-Large to District-Based Elections***

Unresolved Recommendations and Current Status	Implemented
<p>R3 The City Council members proactively plan in advance and allocate time in Council Meeting agendas to give the public opportunity for robust and ongoing discussion of any changes to the City’s demographics that need to be addressed when the new census data is released on September 30, 2021. This should occur by December 31, 2021.</p> <p>Current Status: This recommendation was implemented. The Rohnert Park City Council held four public meetings in which citizens could take part in this discussion. The fourth meeting was held on March 8, 2022.</p>	Yes

CIVIL GRAND JURY REPORT 2021-2022 UPDATED RESPONSES

DEPARTMENT OF HEALTH SERVICES:

Dedication Overcame Dysfunction

Unresolved Recommendations and Current Status	Implemented
<p>R8 By December 31, 2022, the Board of Supervisors will consult with the Human Resources Department to consider establishing an Ombudsperson for County employees to provide a neutral means to voice issues of concern.</p> <p>Current Status: The Human Resources Department responded that it plans to conduct an employee-engagement survey in 2024 to determine the best path forward.</p>	No
<p>R13 By December 31, 2022, the Board of Supervisors and County Administrator's Office work with the Department of Health Services executive leadership team in developing an actionable plan to address work culture issues, including retaliation, harassment and bullying.</p> <p>Current Status: DHS responded that it hired an equity manager in March of 2022 who was then hired away by Marin County. Recruitment is underway to fill this position. DHS developed an equity plan in December of 2022.</p>	Partially
<p>R14 By December 31, 2022, the Board of Supervisors direct the County Administrator's Office to work with the Department of Health Services' executive leadership team to develop a clearly defined and actionable plan for internal communication that includes greater transparency and staff participation throughout the department.</p> <p>Current Status: DHS responded that it published an internal newsletter, <i>DHS Connect</i>, in the fall of 2022. Video clips of DHS employees were produced in November of 2023 and used in promotional material to recruit staff.</p>	Partially
<p>R16 By March 1, 2023, the Board of Supervisors direct the County Administrator's Office and the County Human Resources Department to develop a plan for the Board's review and consideration whereby the County Human Resources Department has oversight authority over all satellite human resource divisions.</p> <p>Current Status: The Human Resources Department responded that it will work with a consultant in 2024 to develop recommendations regarding oversight of all satellite-department human resources functions.</p>	Partially

AFFORDABLE HOUSING:
Past, Present, and Future

Unresolved Recommendations and Current Status	Implemented
<p>R2 By December 31, 2022, Permit Sonoma and the nine cities should meet to consider standardizing procedures related to the development of affordable housing.</p> <p>Current Status: New and revised procedures related to the development of affordable housing are described in Section 2.1 of the Sonoma County Housing Element of August 2023 (Housing Goals and Policies). Also see Housing Element Program 12: Permitting Procedures, Priority Processing, and Proactive Farmworker Housing Measures, p. 53.</p>	Yes
<p>R3 By December 31, 2022, Permit Sonoma and the nine cities should meet to discuss coordination of fee-reduction standards for affordable housing throughout the County.</p> <p>Current Status: See Sonoma County Housing Element 2023 Program 12: Permitting Procedures, Priority Processing, and Proactive Farmworker Housing Measures, p.53 and Program 17: Development Fees and Transparency Requirements, p. 58.</p>	Yes
<p>R8 By December 31, 2022, Permit Sonoma and the nine cities should review permitting requirements to allow nontraditional options such as manufactured homes, factory-built homes and tiny homes to increase housing supply.</p> <p>Current Status: See Sonoma County Housing Element Section 2.2 5b, Housing Action Plan, p. 49</p>	Yes

AFFORDABLE HOUSING:

Monitoring and Compliance

Unresolved Recommendations and Current Status	Implemented
<p>R1 By December 31, 2022, the Sonoma County Community Development Commission (CDC) and the nine cities will meet and develop agreed-upon standards and procedures for monitoring affordable housing.</p> <p>Current Status: Policies and procedures have changed with the 2023-2031 Housing Element in effect, as this provides for ongoing, dedicated Permit Sonoma and CDC funding and staff support to implement Housing Element programs.</p>	Yes
<p>R3 By January 1, 2023, the CDC and the nine cities will review and ensure that they have sufficient personnel to conduct on-site monitoring and to process self-reported monitoring data to meet future Regional Housing Needs Allocations.</p> <p>Current Status: In December of 2021 the Board of Supervisors approved a revision to the CDC's compliance-monitoring policies that increases and expands on-site monitoring, adding a staff position to support this work.</p>	Yes
<p>R5 By January 1, 2023, the nine cities will develop informational documents and policies to provide both upfront and ongoing training in the monitoring and compliance procedures for developers and managers of affordable housing projects.</p> <p>Current Status: Section II, the Housing Action Plan, of the 2023 Housing Element notes, beginning on p. 35, that staff is in place and will have training opportunities every month.</p>	Yes
<p>R7 By November 1, 2022, the nine cities will meet to discuss pooling resources to fulfill their monitoring responsibilities, either through a consultant or through designated employees.</p> <p>Current Status: On-site monitoring was halted during Covid. All nine cities and the CDC resumed on-site monitoring by October of 2021, and by March of 2022 all monitoring required by federal regulations had been brought current. Additional staff have been hired to ensure that monitoring of existing and future affordable housing units continues.</p>	Yes

<p>R8. By December 31, 2022, the CDC and the nine cities should update and maintain their inventory of affordable houses within their jurisdictions and verify that all of their property titles are flagged for restricted sale.</p> <p>Current Status: The CDC maintains an updated list of affordable housing stock available countywide. This list will be updated quarterly through coordination with the nine cities.</p>	Yes
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ROHNERT PARK DEPARTMENT OF PUBLIC SAFETY:

Better Procedures to Avoid Future Misconduct

Unresolved Recommendations and Current Status	Implemented
<p>R1 By December 31, 2022, the City Manager institute an annual written performance evaluation for the Director of Public Safety.</p> <p>Current Status: The City of Rohnert Park responded that the City Manager now conducts this performance evaluation.</p>	Yes
<p>R2 By December 31, 2022, the City Manager obtain input from a representative sample of Rohnert Park Department of Public Safety personnel to be considered in the evaluation of the Director's annual performance.</p> <p>Current Status: The City of Rohnert Park responded that the City Manager obtains input from Department of Safety personnel for the Director's performance evaluation.</p>	Yes
<p>R3 By December 31, 2022, the City Manager establish a schedule for communicating with and getting feedback from the Public Safety Officer Association.</p> <p>Current Status: The City of Rohnert Park responded that the City Manager receives feedback biannually from the Public Safety Officers Association.</p>	Yes
<p>R5 By December 31, 2022, the City Manager and the Director of Public Safety complete the recruitment for and establishment of the Chief's Community Round Table as recommended to the City Council on August 10, 2021.</p> <p>Current Status: Members of the Community Round Table have been selected and meetings have been held with the Director of Public Safety.</p>	Yes
<p>R6 By July 1, 2023, the City Council allocate funds to install GPS tracking on all police vehicles.</p> <p>Current Status: The City Council approved funding for GPS tracking devices in November of 2022.</p>	Yes

<p>R7 By December 31, 2023, the Director of Public Safety shall install GPS tracking on all police vehicles.</p> <p><i>Current Status:</i> The City of Rohnert Park responded that the installation of GPS tracking devices on all police vehicles was completed in May of 2023.</p>	Yes
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SMART DECISION-MAKING:

Citizen Feedback is Critical for Success

Unresolved Recommendations and Current Status	Implemented
<p>R1 By January 31, 2023, The Board of Directors expand the role of the Citizens Oversight Committee beyond the minimal requirements of the Measure Q Expenditure Plan to achieve expectations of citizen oversight and accountability.</p> <p><i>Current Status:</i> This was implemented in December of 2022 through adoption of the COC bylaws.</p>	Yes
<p>R2 By January 31, 2023, the Board of Directors consider additional advisory committees to generate informed, independent advice on important matters under consideration, including but not limited to increasing ridership, building public trust, new lines of business, sale of assets, finance, and other significant decisions.</p> <p><i>Current Status:</i> The BOD responded that it held multiple topic-specific public hearings in 2022 and received input from the public and stakeholders.</p>	Yes
<p>R3 By January 31, 2023, the Board of Directors reassess the SMART organizational structure such that the Citizens Oversight Committee and any future advisory committees report directly to the Board.</p> <p><i>Current Status:</i> This was implemented in December of 2022 through adoption of the COC bylaws.</p>	Yes
<p>R4 By January 31, 2023, the Board of Directors require written Citizen's Oversight Committee analysis and recommendations prior to all strategic decisions whether or not incorporated in the five-year Strategic Plan.</p> <p><i>Current Status:</i> The COC bylaws require the COC to issue reports, on at least an annual basis, on issues related to the Strategic Plan, but not on all strategic decisions.</p>	Partially

<p>R5 The Board of Directors define and implement advisory committee bylaws for the Citizens Oversight Committee, by January 31, 2023.</p> <p>Current Status: This was implemented in December of 2022 through adoption of the COC bylaws.</p>	Yes
<p>R6 The Board of Directors define the length of terms for Citizens Oversight Committee members, by January 31, 2023.</p> <p>Current Status: This was implemented in December of 2022 through adoption of the COC bylaws.</p>	Yes
<p>R7 By January 31, 2023, the Board of Directors develop suitable training programs for new and existing members of the Citizens Oversight Committee regarding their newly defined role and proper public committee protocols, such as the Brown Act rules.</p> <p>Current Status: This was implemented at the March 2023 COC meeting.</p>	Yes
<p>R8 By January 31, 2023, the Board of Directors direct the Citizens Oversight Committee to prepare written recommendation reports to be presented at or entered into the record of the Board of Directors meetings.</p> <p>Current Status: The COC bylaws require that written reports be presented to the BOD on at least an annual basis.</p>	Yes
<p>R11 The Board of Directors direct advisory committees to develop and implement a policy to keep documents and information related to their advisory role centrally located and remotely accessible, by January 31, 2023.</p> <p>Current Status: This was implemented in August of 2022. Documents and information are now stored electronically.</p>	Yes

In summary, the tables above give an update of the recommendations of the Civil Grand Jury reports of 2018-2019, 2019-2020, 2020-2021 and 2021-2022 that were unanswered when the follow-up reports were published. While there are still unresolved issues, this update shows the progress made after the Civil Grand Juries' terms expired.



Back row standing, L to R: Robert Harjo, Kelly Williams (Treasurer), Joel Reynolds, Rob Hunter (Foreperson), Marc Andrade, Mark Rudow, Mary Selhorst, Tom McMains

Middle row standing L to R: Ed Berberian (Foreperson Pro Tem), Julie Wilcox (Judicial Assistant), The Honorable Shelly Averill (Presiding Judge), Anne Dorfman, Richard Gulson, Tracy Burt, Anne Jewell, Steve Beubis

Front row kneeling L to R: Lorna Schrader, Karen Rocco, Bob Goetzinger, Colleen Keegan (Not pictured: Connie Joseph)