

**DEPARTMENT GRAND JURY REPORT RESPONSES**

Report Title: Often Reported, Never Repaired

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Report Date: June 2024

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Response by: Tina Rivera Title: Director

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Agency/Department Name: Sonoma County Department of Health Services

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**FINDINGS ASSOCIATED WITH REQUIRED RESPONSES:**

- 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.

I (we) agree with the findings numbered: F3

I (we) disagree wholly or partially with the findings numbered: F1, F2, F4

(Attach a statement specifying any portions of the findings that are disputed with an explanation of the reasons.)

**RECOMMENDATIONS REQUIRED RESPONSES**

- 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 1, 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)

Recommendations numbered: R1 will not be implemented because they are not warranted or are not reasonable. (See attached.)

Recommendation numbered:   R2   require(s) further analysis. (See attached.)

Date:   8/16/2024  

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Number of pages attached:   3

## **FINDINGS**

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.

### **We disagree partially with this finding.**

We agree that some of the contracting practices and procedures are inefficient and take too long. It is important to remark that contracting and procurement issues are not exclusively specific to Department of Health Services (DHS) given the interfaces with a number of other county departments that influence DHS processes. The processes have been impacted by the reality of transitioning out of non-disaster operations which has been complicated to complete given staffing vacancies, and new hires' learning curves not only in the Department of Health Services but also in the other departments we interface with. Also, it is important to recognize that Federal and State funding requirements are complex and inflexible. The number of mandated changes after the pandemic have greatly contributed to not being able to design efficient and sustainable systems as regulatory agencies guidance is constantly revised.

As a summary we offer the following information:

**Stricter Accountability Measures:** California has introduced rigorous reporting standards tied to state funding, especially under the Homeless Housing, Assistance, and Prevention (HHAP) program. Counties must submit detailed plans with quantifiable, data-driven goals. These plans are subject to regular monitoring, and funding is contingent upon meeting specific benchmarks.

**Medicaid and Medicare:** reporting requirements have significantly impacted all counties by increasing administrative complexity and putting pressure on current baseline procurement and financial capacity. These changes have been crucial in ensuring compliance and effective use of healthcare funds but have also presented considerable challenges to county governments. This includes demonstrating improvements in patient care, reductions in hospital readmissions, and enhanced behavioral health services. The need to collect and report on these metrics has forced counties to rapidly integrate new data collection and reporting tools without the benefit of having final regulations.

F2. DHS processes for procurement needs identification, RFP generation, and competitive sourcing take too long to execute and aren't clearly competitive.

### **We disagree partially with this finding.**

We do agree with the inconsistent timing of some of the RFPs run in the department and are looking to address these inconsistencies. We disagree that procurements aren't clearly competitive, that there is no identification, or competitive sourcing. Not unlike what other counties and the nation face, it is unfortunate the behavioral health system is strained by workforce shortages, inadequate infrastructure, high demand, and funding limitations, all of which contribute to challenges in providing timely and effective care to those in need. Given this, there are few providers qualified to provide the services needed within Sonoma County,

and in those situations, competitive bidding is not a viable option. This has caused clients to be served in another county. We hold bidder's conferences, which is a common practice, so that providers can provide feedback and answer questions. We work closely with Sonoma County Public Infrastructure-purchasing division to ensure we are following appropriate RFP protocols and procedures. We follow sole source procurement procedures and single source procedures while applicable RFP procedures are scheduled as appropriate.

F3. Chronic short staffing and employee turnover have led to a significant loss of institutional knowledge.

**We disagree wholly or partially with this finding.**

Currently, it is difficult for DHS to substantiate this claim. While short staffing and employee turnover historically lead to a loss of institutional knowledge, DHS does not track this information.

F4. Inadequate delegation of authority and a toxic work culture inhibits individual decision-making and contributes to DHS's failure to perform effectively.

**We disagree wholly.**

Staff has daylighted late payments to providers and late behavioral health contracts that seem to have been an issue within the Department of Health Services for 10 plus years. This was feedback received not only from staff, but also from behavioral health providers. We provided a short-term solution with 6-month advance payments in fiscal year 23-24 and called administration staff back into the office who had been working remotely during the COVID pandemic. Staffing vacancies had also been a factor, but in just over one year we have improved staffing vacancies; decreasing our overall department vacancies by 9% (from 23% in July 2023 to 14% in June 2024).

Management believes morale has improved as critical vacancies have been filled.

**RECOMMENDATIONS**

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).

**This recommendation will not be implemented because it is not warranted or is not reasonable.**

Award information is already publicly accessible and provided via board items. The County Executive now requires DHS staff attach executed contract documents, and when an executed contract is not feasible as negotiations may be in flux, a sample contract and/or authority to execute is conditioned upon County Counsel's approval. DHS programming has in excess of six hundred contracts within a fiscal year. Adding workload to created new public reports for information that can be made available by the existing Public Request Act process will be labor

intensive and duplicative in some cases. The recommendation is not deemed to be a reasonable at this time given the many changes state and federal agencies have required of the county. Doing so would further increase complexity and delays .

R2. By November 1, 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)

**This recommendation requires further analysis.**

We are unclear of the definition of what “non-field” positions is referring to. DHS does not track vacancy rates by whether the position serves in a “field” setting or not.

We are, however, happy to report that the DHS HR team now has a regular monthly meeting with the County’s central HR with the goal of improving vacancy rates. We now have two analysts in County HR dedicated to working with DHS on our recruitment and retention goals.

**DEPARTMENT GRAND JURY REPORT RESPONSES**

Report Title: Often Reported, Never Repaired  
Report Date: June 17, 2024  
Response by: Janell Crane Title: Director  
Agency/Department Name: Sonoma County Department of Human Resources

**FINDINGS ASSOCIATED WITH REQUIRED RESPONSE:**

- 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.

I (we) disagree wholly or partially with the findings numbered: F3 and F4.  
(See attached.)

**RECOMMENDATIONS REQUIRED RESPONSES:**

- R2. By November 1<sup>st</sup>, 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)

Recommendation numbered: R2 require(s) further analysis.  
(See attached.)

Date: 8/14/24 Signed: Signature On File  
Number of pages attached: 2

## Response to 2023-24 Grand Jury Report: Often Reports, Never Repaired

Following are the Sonoma County Department of Human Resources' (HR) required responses to the 2024 Grand Jury Report investigation titled "Often Reported, Never Repaired."

### Findings

F3. Chronic short staffing and employee turnover have led to a significant loss of institutional knowledge.

#### **We disagree wholly or partially with this finding.**

Currently, it is difficult for the Human Resources Department to substantiate this claim. While short staffing and employee turnover historically lead to a loss of institutional knowledge, Human Resources does not have sufficient information to validate this finding.

F4. Inadequate delegation of authority and a toxic work culture inhibits individual decision making and contributes to DHS's failure to perform effectively.

#### **We disagree wholly or partially with this finding.**

Currently, it is difficult for the Human Resources Department to substantiate this claim. However, during FY 2024/25 Human Resources will be launching a county-wide employee engagement survey which will provide us with the data needed to develop and implement strategies to incorporate survey outcomes into future operational planning.

HR will work with a consultant to analyze the responses to gain insights into employee satisfaction, engagement levels, and specific areas needing attention. These strategies will aim to improve work culture and foster a positive and productive work environment, with the goal of improving employee retention and sense of belonging.

### Recommendations

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)

#### **This recommendation requires further analysis.**

We are unclear of the definition of what "non-field" positions is referring to. DHS does not track vacancy rates by whether the position serves in a "field" setting or not. Nonetheless, we offer the following information.

The challenges the Department of Health Services has faced the last several years to fill healthcare related positions are not unique to Sonoma County. There is a shortage of individuals entering the industry and an insufficient number of qualified individuals interested in changing employers right now to fill vacancies at both private and public employers. This shortage has greatly contributed to the department's inability to quickly fill positions in some

job classifications as well as an increased vacancy rate, when coupled with the significant growth the department that has experienced in recent years (the number of allocated positions has increased 37% between the start of Fiscal Years 19/20 and 24/25).

The job classifications with the highest number of vacant allocations in the Department of Health Services include Behavioral Health Clinician Intern/Clinician, Alcohol and Other Drug Services Counselor I/II, Senior Client Support Specialist, and Environmental Health Specialist Trainee/I/II. Positions in these job classifications require either specific education, work experience, and/or professional licensure, which significantly limits the number of qualified applicants the County receives and subsequently progress through examination and selection processes.

As of June 28, 2024, the overall vacancy rate for the Department of Health Services was 14.50%. When excluding positions in the aforementioned four job classifications with the department's highest numbers of vacancies, which are also amongst the County's most difficult to fill, the vacancy rate drops to 10.79%. This rate includes positions that work in administration, clinical, and field settings. Human Resources and the Department of Health Services need further clarification to identify what specific positions are being referred to as "authorized non-field positions" in order for Human Resources to determine what the adjusted vacancy rate with that parameter applied.

Central Human Resources and the Health Services Department are and will continue meeting regularly to discuss recruitment needs and remain expeditious in developing and continuing efforts to reduce the department's vacancy rate. The two departments have recently collaborated on a tracking mechanism which allows staff to identify the length of time various recruitment, examination, and selection process steps take to complete, determine if there are any "pain points" or delays at any steps in the process, and implement solutions with the intent to reduce delays for future recruitments. Staff are also currently looking at ways to be more strategic in recruiting, examining, and selecting individuals for hard-to-fill job classifications. Current strategies include evaluating the efficacy of recruitment advertising, examination, department selection, and pre-employment processes to maximize visibility, remove hurdles and/or barriers that may cause qualified individuals from either not applying or opting out of the process, and reduce lengthy/protracted timelines which make the County less competitive compared to private sector employers for similar types of positions. As efforts in these areas progress, both departments anticipate Health Services' vacancy rate will continue to decline. Should that not occur, or should additional attention be warranted, the departments will engage with the County Executive if determined necessary at the time.





# Sonoma County Public Infrastructure

**Johannes J. Hoevertsz, Director**

Monique Chapman, Deputy Director – Administration  
Michelle Ling, Deputy Director – Facilities Development & Management  
Trish Pisenti, Deputy Director – Transportation, Operations & Fleet  
Janice Thompson, Deputy Director – Engineering & Maintenance



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## DEPARTMENT GRAND JURY REPORT RESPONSES

Report Title: Often Reported, Never Repaired  
Report Date: June 17, 2024  
Response by: Johannes Hoevertsz Title: Director  
Agency/Department Name: Department of Public Infrastructure/Purchasing

### FINDINGS ASSOCIATED WITH REQUIRED RESPONSES:

- 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.

I (we) disagree wholly or partially with the findings numbered: F3, F4, F5, F6 (See attached.)

### RECOMMENDATIONS REQUIRED RESPONSES:

- 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)

Recommendations numbered: R4 have not yet been implemented but will be implemented in the future. (See attached.)

Date: 8-14-2024 Signed: 

Number of pages attached: 2

## Response to 2023-24 Grand Jury Report: Often Reported Never Repaired

Following is Sonoma Public Infrastructure/Purchasing (SPI) required responses to the 2024 Grand Jury Report investigation titled "Often Reported Never Repaired."

### Findings

F3. Chronic short staffing and employee turnover have led to a significant loss of institutional knowledge.

**We disagree wholly or partially with this finding.**

SPI agrees generally that short staffing and employee turnover can lead to loss of institutional knowledge however SPI does not track this information.

F4. Inadequate delegation of authority and a toxic work culture inhibits individual decision-making and contributes to DHS's failure to perform effectively.

**We disagree wholly or partially with this finding.**

SPI does not track this information.

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.

**We disagree wholly or partially with this finding.**

This is an overly broad statement with very vague language. The County, and particularly the Department of Health Services, is a highly regulated agency where federal and state funding sources require this information. All information used in federal and state funding is retained pursuant to retention schedules.

F6. County Purchasing and Internal Audit failed to require that DHS follow mandated procurement policies.

**We disagree wholly or partially with this finding.**

While SPI has developed templates for procurement of goods and services that are generally applicable County-wide, these policies do not displace the specialized procedures that certain departments like DHS must follow. Their practices and procedures are designed to address the mandates of federal and state funding sources. As noted, departments may consult SPI staff for guidance and best practices or may elect to conduct their own processes in accordance with established policies.

### Recommendations

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)

**This recommendation has not been implemented but will in the future.**

The SPI Purchasing Division is currently working with the Auditor's Office to implement a step in the County's financial system (EFS) that would require departments to indicate whether they had fully procured a contract or had a single/sole source waiver approved by the Purchasing Agent. This would potentially also create the ability to run reports. Since this change will require evaluation of current system capabilities, it is unknown whether it could be implemented by the recommended 1/1/2025 date. The department will however, work with staff to implement as soon as possible.

The recommendation states that a system shall be implemented ensuring "all no-bid and sole-sourced contracts are identified, accounted for as such, publicly reported, and have required supporting documentation and waivers on file." SPI agrees with this recommendation with the exception of "all no-bid and sole sourced contracts." Delegated authority established by the Board and by policy allow for departments to procure goods and services without as follows: Under Sonoma County Ordinance No. 4654 and the [Sonoma County Procurement of Goods and Equipment Policy](#), County departments may make direct purchases under \$7,000.

Additionally, under the [Sonoma County Service Agreements](#) policy, departments may enter into short form agreements (\$5,000) and under. Alternatively, they may conduct an RFP or request a Single/Source waiver. Therefore, documentation and waivers would not be tracked and reported for these instances. It should also be noted that this information would not include contracts for services that are expressly exempt from competitive bidding requirements, such as architectural services, engineering services, and outside legal services.

Is important to note that State law exempts these types of services from competitive solicitation because the County is required to select the desired provider based on their special training and experience, not based on cost. For these types of services, the County only solicits requests for qualifications or requests for proposals

**DEPARTMENT GRAND JURY REPORT RESPONSES**

Report Title: Often Reported, Never Repaired

Report Date: June 17, 2024

Response by: Erick Roeser Title: Auditor-Controller-Treasurer-Tax Collector

Agency/Department Name: Sonoma County/Auditor-Controller-Treasurer-Tax Collector

**FINDINGS ASSOCIATED WITH REQUIRED RESPONSES:**

- 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.
- 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.

I (we) agree with the findings numbered: **F3**

I (we) disagree wholly or partially with the findings numbered: **F1, F4, F5, F6, F7**

(Please see the attached statement specifying any portions of the findings that are disputed with an explanation of the reasons.)

**RECOMMENDATIONS:**

**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)

- Recommendations numbered: R3, R4 have not yet been implemented, but will be implemented in the future. (Please see attached response for implementation information.)

Date: 8/15/2024 Signed: 

Number of pages attached: 2

The following are the Auditor-Controller-Treasurer-Tax Collector's (ACTTC) required responses to the 2024 Grand Jury Report investigation titled "Often Reported, Never Repaired."

### **FINDINGS**

**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.

**ACTTC RESPONSE: We disagree wholly or partially with this finding.**

ACTTC staff supports vendor payments after departments have completed their internal process. We agree that vendor payments delays exist. However, ACTTC staff is not involved in the department's contracting process and cannot opine the cause of contract related delays.

**F4.** Inadequate delegation of authority and a toxic work culture inhibits individual decision- making and contributes to DHS's failure to perform effectively.

**ACTTC RESPONSE: We disagree wholly or partially with this finding.**

ACTTC staff does not have knowledge of DHS internal workflow structure or work culture.

**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.

**ACTTC RESPONSE: We disagree wholly or partially with this finding.**

ACTTC fiscal policies RE-2 and RE-3 define department responsibilities and procedures for grant compliance, monitoring, and reporting. All information uploaded to the County financial system is retained pursuant to adopted retention schedules.

**F6.** County Purchasing and Internal Audit failed to require that DHS follow mandated procurement policies.

**ACTTC RESPONSE: We disagree wholly or partially with this finding.**

Internal Audit is not responsible for enforcing procurement policies. Internal Audit issued a procurement audit report in August 2023, which included a DHS procurement related finding. The Procurement Process Audit Report is available on our website under "Fiscal Year End June 30, 2022. Please see the link to our website below:

<https://sonomacounty.ca.gov/auditor-controller-treasurer-tax-collector/audit-reports>

**F7.** The BOS failed to require changes to DHS procurement procedures despite published reports that DHS has been violating County procurement policy.

**ACTTC RESPONSE: We disagree wholly or partially with this finding.**

The BOS called for DHS to conduct a new competitive Request For Proposal event for homeless services following the issuance of the Pisenti & Brinker, LLC agreed-upon procedures report regarding DEMA Consulting & Management.

## RECOMMENDATIONS

**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)

**ACTTC RESPONSE:** This recommendation has not been implemented but will be implemented in the future if warranted.

The ACTTC - Internal Audit Division (IA) issued an audit report of the Sonoma County Procurement Process in August 2023. The report includes a finding that Department of Health Services (DHS) contracts are being single or sole sourced without Purchasing Agent approval. This finding was identified as a Risk Classification B: Significant Control Weakness. The report summarizes testing of 23 of 94 DHS contracts, which found that all 23 were not competitively bid for at least ten years.

The IA countywide risk assessment includes DHS contract administration. ACTTC management will evaluate the appropriate scope and resources needed to complete an audit of DHS procurement processes and procedures, contract administration oversight and compliance with County procurement policy. The size and scope of the audit and available resources will determine when a DHS contract audit can be included in the annual Audit Plan. This recommendation will be completed as soon as possible; however, it is not currently known if it can be completed and presented to the Board by December 31, 2025.

ACTTC management is also aware that the CEO has engaged a procurement consulting firm to review the purchasing lifecycle and grant subaward processes for the seven Safety Net departments including DHS.

An initial report for this engagement is expected in September 2024. The findings and recommendations from this report, as well as the time needed to implement accepted recommendations, may also impact the scope and timing of IA's audit of DHS procurement processes, contract administration and compliance with County policies.

**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)

**ACTTC RESPONSE:** This recommendation has not been implemented but will be implemented in the future.

Pursuant to the Sonoma County Service Agreement Policy (Policy), the Purchasing Agent administers the Policy and approves Single/Sole Source waiver requests.

ACTTC staff is working with the Sonoma County Public Infrastructure – Purchasing Division to implement recommendations in R4. Staff is evaluating identification and reporting strategies, and financial system functionality. The recommendation will be implemented as soon as possible; however, it is not currently known if the recommendation can be fully implemented by January 1, 2025.

**GRAND JURY REPORT RESPONSES**

Report Title: Often Reported, Never Repaired

Report Date: June 17, 2024

Response by: David Rabbitt Title: Chairperson

Agency/Department Name: Sonoma County Board of Supervisors

**FINDINGS:**

- 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.
- F3. Chronic short staffing and employee turnover have led to a significant loss of institutional knowledge.
- 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.

We disagree wholly or partially with the findings numbered: F1, F3, F6, F7. (See attached.)

**RECOMMENDATIONS:**

- 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)
- Recommendation numbered: R3 has not yet been implemented but will be implemented in the future if warranted. (See attached.)

Date: \_\_\_\_\_ Signed: \_\_\_\_\_

Number of pages attached: 2



## Response to 2023-24 Grand Jury Report: Often Reported Never Repaired

Following is the Sonoma County Board of Supervisors required responses to the 2024 Grand Jury Report investigation titled “Often Reported Never Repaired.”

### Findings:

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.

Response: **We disagree partially with these findings.** The characterization of DHS contracting procedures as chaotic is misleading and misses a broader issue. While we agree that most of the County’s contracting and procurement processes take too long, most of those processes are dictated by State statute (not County requirements) and there is little flexibility within those statutes.

It is important to remark that Federal and State funding requirements are complex and inflexible. The number of mandated changes after the pandemic have greatly contributed to not being able to design efficient and sustainable systems as regulatory agencies guidance is constantly revised.

F3. Chronic short staffing and employee turnover have led to a significant loss of institutional knowledge.

Response: **We disagree partially with this finding.** We agree with the Department of Human Resources’ response to this finding.

*Currently, it is difficult for the Human Resources Department to substantiate this claim. While short staffing and employee turnover historically lead to a loss of institutional knowledge, Human Resources does not have sufficient information to validate this finding*

F6. County Purchasing and Internal Audit failed to require that DHS follow mandated procurement policies.

Response: **We disagree partially with this finding.** We agree with the Sonoma Public Infrastructure’s response to this finding.

*While SPI has developed templates for procurement of goods and services that are generally applicable County-wide, these policies do not displace the specialized procedures that certain departments like DHS must follow. Their practices and procedures are designed to address the mandates of federal and state funding sources. As noted, departments may consult SPI staff for guidance and best practices or may elect to conduct their own processes in accordance with established policies.*

Additionally, the County acknowledges that its procurement processes could be improved

and last year initiated a procurement review, which identified challenges across the County. As a result of the findings and recommendation within the report, County staff have been reviewing all procurement policies and procedures to align better with best practices.

F7. The BoS failed to require changes to DHS procurement procedures despite published reports that DHS has been violating County procurement policy.

**We disagree partially with this finding.** The Board of Supervisors called for a new Request for Proposals for homeless services following the issuance of the Pisenti & Brinker, LLC agreed-upon procedures report regarding DEMA Consulting & Management.

### **Recommendations**

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.

**Response: This recommendation has not yet been implemented but will be implemented in the future if warranted.** Currently, the County is undergoing a countywide risk assessment which includes DHS contract administration and ACTTC management. Upon conclusion of the assessment, departments will determine the appropriate steps to ensure departmental compliance with County procurement policies. The County Executive will work with departments to evaluate the need for additional resources which will be made through the annual countywide budget process.

This recommendation will be completed as soon as possible; however, it is not currently known if it can be completed and presented to the Board by December 31, 2025.

**DEPARTMENT GRAND JURY REPORT RESPONSES**

Report Title: Taxing and Spending in Sonoma County  
Report Date: June 17, 2024  
Response by: Erick Roeser Title: Auditor-Controller-Treasurer-Tax Collector  
Agency/Department Name: Sonoma County/Auditor-Controller-Treasurer-Tax Collector

**FINDINGS ASSOCIATED WITH REQUIRED RESPONSES:**

- 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.
- 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.
- F7. Sonoma County sales tax rates are among the highest in California.


I (we) agree with the findings numbered: F1, F4

I (we) disagree wholly or partially with the findings numbered: F2, F5, F7

(Please see attached statement specifying any portions of the findings that are disputed with an explanation of the reasons.)

**RECOMMENDATIONS:**

- 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.
- Recommendations numbered: R2, R3 will not be implemented because they are not warranted or are not reasonable. (Please see attached explanation.)

Date: 8/15/2024 Signed: 

Number of pages attached: 1

The following are the Auditor-Controller-Treasurer-Tax Collector's (ACTTC) required responses to the 2024 Grand Jury Report investigation titled "Taxing and Spending in Sonoma County."

### **FINDINGS**

**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.

**ACTTC RESPONSE: We disagree wholly or in part with this finding.**

The County publishes annual reports that provide useful, publicly available information on spending to address public need. A comprehensive report for all government agencies in the county is not published.

**F5.** The County Auditor doesn't have the resources needed to conduct performance audits throughout County government.

**ACTTC RESPONSE: We disagree wholly or in part with this finding.**

The County Auditor has resources to conduct some performance audits of County programs and departments. Audit engagements are prioritized and selected by the ACTTC through a risk assessment process.

**F7.** Sonoma County sales tax rates are among the highest in California.

**ACTTC RESPONSE: We disagree wholly or in part with this finding.**

According to information published by the California Department of Tax and Fee Administration, Sonoma County is tied for the 9<sup>th</sup> highest sales tax rate for California counties and no Sonoma County cities are in the top 90 highest sales tax rates for California cities.

### **RECOMMENDATIONS**

**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.

**ACTTC RESPONSE: This recommendation will not be implemented because it is not warranted or is not reasonable.**

Preparing a non-mandated, cross-governmental tax and spending report would detract from the ACTTC's ability to provide mandated and auditing services to and for benefit of the public and local government agencies. Additionally, the County of Sonoma, as defined for reporting purposes, does not include the incorporated cities, school districts or independent special districts in Sonoma County; therefore, it would be inappropriate to include financial data extraneous to the County of Sonoma in the Citizens' Report. The purpose of the Citizens' Report, an optional document, is to communicate selected financial information from the County of Sonoma's Annual Comprehensive Financial Report.

**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.

**ACTTC RESPONSE: This recommendation will not be implemented because it is not warranted based on the response to recommendation R2.**

**GRAND JURY REPORT RESPONSES**

Report Title: Sonoma County Tax & Spending

Report Date: June 17, 2024

Response by: David Rabbitt Title: Chairperson

Agency/Department Name: Sonoma County Board of Supervisors

**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.

We agree with the findings numbered: F1, F4

We disagree wholly or partially with the findings numbered: F2, F5, F6, F7, F8 .(See attached.)

**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.

- Recommendations numbered: R4, R5 require(s) further analysis. (See attached.)
- Recommendations numbered: R1, R2, R3 will not be implemented because they are not warranted or are not reasonable. (See attached.)

Date: \_\_\_\_\_ Signed: \_\_\_\_\_

Number of pages attached: 3

Response to 2023-24 Grand Jury Report: Taxes and Spending in Sonoma County

Following is the Sonoma County Board of Supervisors required responses to the 2024 Grand Jury Report Investigation titled "Taxes and Spending in Sonoma County."

Findings:

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.

Response: **We disagree wholly or partially with this finding.** The County Administrator's Office and the Auditor-Controller-Treasurer-Tax Collector publish a range of useful information on spending to address public needs. A comprehensive, cross-governmental report is not provided by any entity and would not be feasible given the array of different agencies and services being provided, as well as the fact that many expenditures address multiple needs.

F5. The County Auditor doesn't have the resources needed to conduct performance audits throughout County government.

Response: **We disagree wholly or partially with this finding.** The County Auditor has resources to conduct selective audits as determined by the elected Auditor.

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.

Response: **We disagree wholly or partially with this finding.** The County Assessor continues to meet state-mandated timeframes for assessments. While the County Assessor has a significant number of assessments to be completed, a lack of resources is not solely responsible for it. Since FY 2021-22, the Board has added 10.2 FTE positions to the Assessor's Office. Difficulty filling positions with qualified employees and the significant training and certification requirements for new hires have meant that the impacts of these additional positions are only beginning to be felt.

F7. Sonoma County sales tax rates are among the highest in California.

Response: **We disagree wholly or partially with this finding.** We wholly disagree with the representation of this finding. According to the California Department of Tax & Fee Administration Data, last updated on 7/1/2024, sales taxes in unincorporated counties range from 7.25% to 10.25%. Sonoma County's rate of 8.50% is in the middle of this range. Additionally, while some cities have higher tax rates due to voter approved tax measures, no city in Sonoma County has a tax rate in the top 90 cities in the state.

F8. Citizen Oversight Committees are frequently inoperative, largely ineffective and have no authority.

Response: **We disagree wholly or partially with this finding.** Citizen Oversight Committees provide valuable service reviewing expenditures for compliance with expenditure plans. The purpose of the unelected committees is to inform and advise relevant governing bodies and the public to ensure that agencies are held accountable.

### 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.

Response: **This recommendation will not be implemented because it is not reasonable or is not warranted.** Many of the entities discussed (including School Districts, Special Districts, and cities) do not utilize County financial systems and the Board of Supervisors does not have the authority to compel them to do so. More importantly, if the County Controller were to undertake such a comprehensive report for all taxing entities within the County, those entities would have to bear the cost. The responsibility for tracking tax collection and spending properly lies with the taxing entity. It is not part of the statutory duties of the County Controller. If the County were to fund the comprehensive report, it would constitute a gift of public funds by the County in violation of California Constitution, article XVI, § 6. (*See, e.g., Edgemont Community Services District v. City of Moreno Valley* (1995) 36 Cal.App.4th 1157 [finding that shifting the cost of a public agency's obligations to another public agency violates the constitutional prohibition on gifts of public funds].) Even if all entities agreed to create a shared system and to pay their portion of costs for the system, implementation would require extensive work to gather cross-agency requirements and develop a system that meets the needs of all entities. Such a process and system, if possible, would be very expensive to implement and implementation would take a number of years and be highly disruptive to the operations of entities involved.

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.

Response: **This recommendation will not be implemented because it is not reasonable or is not warranted.** The County of Sonoma, as defined for reporting purposes, does not include the incorporated cities, school districts or independent special districts in Sonoma County; therefore, it would be inappropriate to include financial data extraneous to the County of Sonoma in the Citizens' Report. The purpose of the Citizens' Report, an optional document, is to communicate selected financial information from the County of Sonoma's Annual



## Comprehensive Financial Report.

As noted in our prior response, were a separate joint report to be created, the other entities would need to share in the cost of compiling the data and producing a comprehensive report to avoid the constitutional prohibition against gifts of public funds.

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.

**Response: This recommendation will not be implemented because it is not reasonable or is not warranted.** As noted above, it is not appropriate to include the information described in the Citizens Report.

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.

**Response: This recommendation requires further analysis.** The Auditor's Office has been significantly impacted by the string of disasters, beginning with the 2017 wildfires, that have impacted the County. During this period, existing Audit staff was partially diverted toward necessary work to ensure compliance with state and federal requirements to receive disaster funding. The unit has only recently returned to full-time audit work. The Board of Supervisors will consider any requests for additional staffing that are made by the Auditor-Controller-Treasurer-Tax Collector as part of the FY 2025-26 budget process. Given the limited resources available to the County, any additions will need to be considered in relation to other County needs and funding cannot be guaranteed.

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.

**Response: This recommendation requires further analysis.** The Assessor's Office continues to meet state-mandated timelines for assessments. Since FY 2021-22 the Board of Supervisors has authorized 10.2 FTE additional positions for the Assessor's Office, an increase of 16% to staffing in that unit. This includes 1.0 term-limited position added during the FY 24-25 budget process. Given the significant timeframe for training and certification requirements, the full effect of these additions is not yet clear. The Board of Supervisors will consider any requests for additional resources made by the Clerk-Recorder-Assessor. Given the limited resources available to the County, further additions will need to be considered in relation to other County needs. Additionally, any new positions added will require training similar to prior additions, making elimination of a backlog in 12 months unlikely.

**Response to Grand Jury Report Form**

Report Title: Sonoma County Main Adult Detention Facility

Report Date: June 2024

Response by: Eddie Engram Title: Sheriff

Agency/Department Name: Sonoma County Sheriff's Office

**FINDINGS: F1, F2, F3, F4, F5**

I (we) agree with the findings numbered: F4

I (we) disagree wholly or partially with the findings numbered: F1, F2, F3, F5

(Attach a statement specifying any portions of the findings that are disputed with an explanation of the reasons.)

**RECOMMENDATIONS: R1, R3, R4, R5, R6**

Recommendations numbered: R1, R4, and R5 have been implemented.

(Attach a summary describing the implemented actions.)

Recommendations numbered: R3 has not yet been implemented but will be implemented in the future.

(Attach a timeframe for the implementation.)

Recommendations numbered: require(s) further analysis.

(Attach 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 director of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the Grand Jury report.)

Recommendations numbered: R6 will not be implemented because they are not warranted or are not reasonable.

(Attach an explanation.)

Date: 8/1/2024 Signed: 

Number of pages attached: **5**  
(See attached Civil Grand Jury Response Requirements)

SONOMA COUNTY SHERIFF'S OFFICE  
RESPONSE TO THE 2023-2024 GRAND JURY REPORT

**FINDINGS**

***F1. There are a large number of mentally ill inmates held in the MADF whose needs are not being met.***

RESPONSE: The respondent partially agrees with the finding.

The Sheriff's Office meets the needs of this population to the extent possible with the limited resources available. The lack of mental health treatment is not limited to MADF, but the community as a whole. Many inmates could potentially be better served in LPS or offsite mental health facilities, but Statewide, these options are rarely available. The Sheriff's Office holds a contract to provide behavioral health care services to inmates. We also provide a broad range of programming to address various needs across the population.

The Sheriff's Office agrees that the MADF was not built to accommodate this population. The addition of the Behavioral Health Housing Unit (BHHU) would provide additional resources and an environment more conducive to meeting the needs of this population. However, expanding mental health treatment throughout Sonoma County would help lower the number of incarcerated persons in the Sheriff's custody.

***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.***

RESPONSE: The respondent partially agrees with the finding.

Safety for both correctional staff and incarcerated persons is optimized when inmates can be appropriately housed based on their designated housing classification. Construction of the Behavioral Health Housing Unit (BHHU) will increase the County's ability to provide an increased variety of appropriate housing for incarcerated persons. In addition, construction of the Behavioral Health Housing Unit will increase the County's ability to provide quality mental health treatment for our incarcerated population, within a dedicated therapeutic environment. It would provide the County with a secure, purpose-built mental health facility, rather than using standard detention-only facilities. This would allow for more comprehensive competency restoration programs in addition to other programming.

***F3. There is a persistent deficiency in OCA time for inmates, especially those in the modules for the mentally ill.***

RESPONSE: The respondent disagrees with the finding.

The Sheriff's Office acknowledges that providing OCA time for inmates during a staffing crisis was extremely difficult. Our staff worked diligently to find innovative ways to provide OCA time for inmates, including contracting to house inmates in Solano County. Thanks to the aggressive and successful hiring efforts, we've been able to improve the amount of OCA time for our MADF inmates. It should also be acknowledged since the COVID-19 pandemic there have been times when large groups of incarcerated persons could not be out of the cells at one time in an effort to decrease the spread of COVID. As our

staffing levels continue to improve, the Sheriff's Office will be able to accommodate increased OCA for those incarcerated persons that present unique challenges and cannot safely mix in a large group setting.

***F4. There has been a chronic staffing shortage in the MADF.***

RESPONSE: The respondent agrees with the finding.

During the COVID shutdown, the County suspended hiring for a period of time, creating significant vacancy levels for many job classes. Post COVID-19 pandemic, low employment rates, economic factors, and societal shifts have had significant impacts on the labor market. Practically all employers have been affected by the extraordinarily challenging labor market. Overall, the County vacancy rate has been higher than past years and some job classes have particularly troubling vacancy rates. This has greatly impacted the Sheriff's Office in critical job classifications as societal shifts have had a significant impact on interest in law enforcement, dispatch, and correctional careers. Correctional job classes have historically been some of the most challenging job classes to fill. There is a cyclical correlation between excessive mandatory overtime requirements (resulting from extreme vacancy rates) and newly hired correctional staff separating shortly after being hired. This cycle has resulted in a few years where the hiring successes had little impact due to a high number of separations.

Due to extensive efforts from Sheriff's management, the Sheriff's Office has made significant strides in filling correctional deputy vacancies. As of July 26, 2024, there are only 5 vacancies in the correctional deputy job class at the Sheriff's Office. However, unavailable staff (staff unable to work in the facility due to injury, illness, training, and other leaves) continue to cause a strain on employees working in the Detention Division, as overtime is needed to backfill staff who are unavailable due to various types of leaves.

***F5. Mandatory staff overtime is excessive and a detriment to the safety, security, and health of both officers and inmates.***

RESPONSE: The respondent partially agrees with the finding.

The Sheriff's Office Detention Division operates a facility 24 hours a day, 7 days a week, with fixed post positions. In order to ensure the safety, security, and health of inmates, and to meet the required state mandates, staff work mandatory overtime shifts to ensure coverage of fixed post positions. The Sheriff's Office acknowledges that mandatory staff overtime has been excessive and not sustainable for employee safety, security, and retention. High vacancy rates have created a problematic cycle of stress and pressure on employees who must work more overtime and carry increased workloads, which then can result in employee leave and employee separation, thus exacerbating the vacancy rates and operational issues. These high vacancy rates have caused significant operational issues and service delivery challenges and are creating an untenable long-term work environment.

Lowering the mandated overtime per employee, while still meeting operational mandates, safety and security requirements, has been of the utmost importance to the Sheriff and his executive team. The Sheriff's Office has dedicated significant resources towards filling vacancies and has had success thus far. With the successful hiring efforts and reduced vacancies, mandatory overtime has begun to decrease. With further decreases in mandatory overtime projected, the Sheriff's Office looks forward to increased correctional deputy safety, security, and retention.

## RECOMMENDATIONS

***R1. By December 31, 2024, SCSO will develop a plan to provide mental health treatment based on inmates' specific and individual mental health needs.***

RESPONSE: The recommendation has been implemented.

The Sheriff's Office understands the importance of providing mental health treatment based on the incarcerated person's specific and individual mental health needs. In partnership with our contracted Behavior Health provider, Wellpath, the Sheriff's Office has and will continue to provide mental health treatment based on the needs of the individual.

***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.***

RESPONSE: The recommendation will be implemented as the number of case managers/discharge planners increases at the jail.

SCSO currently contracts with CFMG/Wellpath for 1.6 FTE discharge planners: 1.0 FTE working specifically with behavioral health patients, and 0.6 FTE addressing the needs of medication-assisted treatment (MAT) participants.

The SCSO service contract with GEO Reentry Services for jail-based substance use disorder treatment (SUDT) services includes 1.0 FTE Reentry Counselor/Discharge Planner to address the needs of SUDT services and MAT participants through the development of comprehensive discharge and reentry plans and connecting participants to needed services.

Implementation of the State's expansion of Medi-Cal services to the justice-involved population via California Advancing and Innovating Medi-Cal, or CalAIM, and a corresponding grant awarded to the Sheriff's Office for implementation will result in the addition of 2.0 FTE County Behavioral Health Senior Client Support Specialists who will provide case management and system navigation services to incarcerated individuals and connect them to post-release providers. An additional 0.4 -1.0 FTE CFMG/Wellpath MAT discharge planner will also be added as needed for the planned MAT program expansion.

It should also be noted that incarcerated persons who are independently financially stable or possessing strong support systems do not typically require the services of a discharge planner.

***R4. By December 31, 2024, SCSO will provide all eligible inmates at least ten hours of OCA per week.***

RESPONSE: The recommendation has already been implemented.

In the Spring of 2023, the Sheriff's Office started planning for anticipated changes to the Title 15 Minimum Jail Standards requirements for exercise and out of cell time. Prior to April 2023, the minimum requirement for exercise and out of cell time was three hours distributed over a period of seven days. Effective April 1, 2023, Title 15 standards changed to ten hours of out cell time distributed over a period of seven days (to include three hours of exercise and seven hours of recreation).

In April and May 2023, Correctional Deputies received training on the new Title 15 minimum jail standards. Effective June 2023, a change in our Classification/Housing Plan was implemented to meet Title 15 requirements of ten hours of out of cell time distributed over a period of seven days.

Starting June 2023, all general population and protective custody population housing modules saw a significant adjustment to out of cell operations. Minimum, medium, and maximum-security incarcerated persons began mixing in larger groups for out of cell and recreation time. This resulted in a significant reduction of mix group numbers in these housing areas and an increase in out of cell activity. Currently, the Detention Division is meeting the minimum out of cell requirement of ten hours over a seven-day period in these housing areas.

There are several areas of the Main Adult Detention Facility where incarcerated persons are classified at higher levels or require small mix groups for out of cell activity. In these housing areas, out of cell activity schedules are challenging as we strive to meet the needs of the individual while maintaining a safe environment for our staff and the incarcerated persons in our care. Our Classification Team continues to work with jail operations to come up with innovative ways to accomplish our goal of ten hours of out of cell activity over a seven-day period.

In January 2024, a portion of our mental health population was shifted to a new housing location that included larger dayroom areas as well as smaller, separate day rooms to accommodate smaller mix groups or individuals during out of cell time. As a result, the individuals in this housing location are receiving at or above ten hours of out of cell activity over a seven-day period.

As our staffing levels continue to improve, the Sheriff's Office Detention Division will re-open two of our closed housing modules at the Main Adult Detention Facility. This will allow for increased out of cell activity for those incarcerated persons that present unique challenges and cannot safely mix in a large group setting.

***R5. By June 30, 2025, the SCSO will have a vacancy rate in its Corrections Unit of less than 10%.***

RESPONSE: This recommendation has already been implemented.

The Sheriff's Office currently has 208 FTEs in the Correctional Deputy job class. As of July 26, 2024, there are 5 vacancies. The current vacancy rate in the Correctional Deputy job class is 2.4%.

***R6. By December 31, 2024, mandated monthly overtime for SCSO Corrections Officers will average no more than 25 hours a month.***

RESPONSE: The recommendation will not be implemented because it is not reasonable and could potentially violate state mandates pertaining to operating a correctional facility.

The Sheriff's Office acknowledges the importance of having a minimal amount of overtime per month for our correctional deputies.

The Sheriff's Office is unable to control many factors that contribute to overtime. Aspects such as employee separation, vacation leave, sick leave, FMLA leave, work related injury, non-work-related injury and training make up many reasons for increased overtime hours for our employees.

The Correctional Deputy job class is primarily composed of fixed post positions. Therefore, the most efficient method to alleviate overtime for our correctional deputies would be to increase allocations in

the correctional deputy job class. More allocations would provide relief staffing, or staffing used to cover vacant posts due to vacation, training, injury and illness. There are currently 208 allocations in the correctional deputy job class. In FY 08-09, there were 246 allocations for the correctional deputies. Over the course of several years correctional deputy positions have been eliminated, eliminating relief coverage. Therefore, any vacant posts due to vacation, training, injury and illness results in an increased need for mandatory overtime coverage. An increase in allocations would allow the Sheriff's Office to efficiently backfill employees on various types of leave with full-time employees, thus reducing the total overtime per month. For this response to be reasonable, an increase in overall allocations would be necessary.

**GRAND JURY REPORT RESPONSES**

Report Title:     Déjà Vu All Over Again      
Report Date:     June 17, 2024      
Response by:     David Rabbitt     Title:     Chairperson      
Agency/Department Name:     Sonoma County Board of Supervisors    

**FINDINGS:**

- 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.

We agree with the findings numbered:     F4    

We disagree wholly or partially with the findings numbered:     F1, F2, F3, F5.     (See attached.)

**RECOMMENDATIONS:**

- R2. By December 31, 2024, the Board of Supervisors will develop a plan to fund construction of the mental health extension.

Recommendation numbered:     R2     has not yet been implemented but will be implemented in the future, if warranted. (See attached.)

Date: \_\_\_\_\_ Signed: \_\_\_\_\_

Number of pages attached:     3



## Response to 2023-24 Grand Jury Report: Déjà Vu All Over Again

Following is the Sonoma County Board of Supervisors required responses to the 2024 Grand Jury Report investigation titled “Déjà Vu All Over Again.”

### Findings:

F1. There is a large number of mentally ill inmates held in the MADF whose needs are not being met.

Response: **We disagree wholly or partially with this finding.** The Board of Supervisors agrees with the Sonoma County Sheriff’s Office’s statement.

*The Sheriff’s Office meets the needs of this population to the extent possible with the limited resources available. The lack of mental health treatment is not limited to MADF, but the community as a whole. Many inmates could potentially be better served in LPS or offsite mental health facilities, but Statewide, these options are rarely available. The Sheriff’s Office holds a contract to provide behavioral health care services to inmates. We also provide a broad range of programming to address various needs across the population.*

*The Sheriff’s Office agrees that the MADF was not built to accommodate this population. The addition of the Behavioral Health Housing Unit (BHHU) would provide additional resources and an environment more conducive to meeting the needs of this population. However, expanding mental health treatment throughout Sonoma County would help lower the number of incarcerated persons in the Sheriff’s custody.*

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.

Response: **We disagree wholly or partially with this finding.** The Board of Supervisors agrees with the Sonoma County Sheriff’s Office’s statement.

*Safety for both correctional staff and incarcerated persons is optimized when inmates can be appropriately housed based on their designated housing classification. Construction of the Behavioral Health Housing Unit (BHHU) will increase the County’s ability to provide an increased variety of appropriate housing for incarcerated persons. In addition, construction of the Behavioral Health Housing Unit will increase the County’s ability to provide quality mental health treatment for our incarcerated population, within a dedicated therapeutic environment. It would provide the County with a secure, purpose-built mental health facility, rather than using standard detention-only facilities. This would allow for more comprehensive competency restoration programs in addition to other programming.*

F3. There is a persistent deficiency in OCA time for inmates, especially those in the modules for the mentally ill.

**Response:** **We disagree wholly or partially with this finding.** The Board of Supervisors agrees with the Sonoma County Sheriff's Office's statement.

*The Sheriff's Office acknowledges that providing OCA time for inmates during a staffing crisis was extremely difficult. Our staff worked diligently to find innovative ways to provide OCA time for inmates, including contracting to house inmates in Solano County. Thanks to the aggressive and successful hiring efforts, we've been able to improve the amount of OCA time for our MADF inmates. It should also be acknowledged since the COVID-19 pandemic there have been times when large groups of incarcerated persons could not be out of the cells at one time in an effort to decrease the spread of COVID. As our staffing levels continue to improve, the Sheriff's Office will be able to accommodate increased OCA for those incarcerated persons that present unique challenges and cannot safely mix in a large group setting.*

F5. Mandatory staff overtime is excessive and a detriment to the safety, security, and health of both officers and inmates.

**Response:** **We disagree wholly or partially with this finding.** The Board of Supervisors agrees with the Sonoma County Sheriff's Office's statement.

*The Sheriff's Office Detention Division operates a facility 24 hours a day, 7 days a week, with fixed post positions. In order to ensure the safety, security, and health of inmates, and to meet the required state mandates, staff work mandatory overtime shifts to ensure coverage of fixed post positions. The Sheriff's Office acknowledges that mandatory staff overtime has been excessive and not sustainable for employee safety, security, and retention. High vacancy rates have created a problematic cycle of stress and pressure on employees who must work more overtime and carry increased workloads, which then can result in employee leave and employee separation, thus exacerbating the vacancy rates and operational issues. These high vacancy rates have caused significant operational issues and service delivery challenges and are creating an untenable long-term work environment.*

*Lowering the mandated overtime per employee, while still meeting operational mandates, safety and security requirements, has been of the utmost importance to the Sheriff and his executive team. The Sheriff's Office has dedicated significant resources towards filling vacancies and has had success thus far. With the successful hiring efforts and reduced vacancies, mandatory overtime has begun to decrease. With further decreases in mandatory overtime projected, the Sheriff's Office looks forward to increased correctional deputy safety, security, and retention.*

Recommendations:

R2. By December 31, 2024, the Board of Supervisors will develop a plan to fund construction of the mental health extension.

Response: **This recommendation has not yet been implemented but will be implemented in the future, if warranted.** The Board of Supervisors recognizes the importance of providing treatment for inmates with mental health and medical needs. The Board of Supervisors and County Executive will continue to work with the Sheriff's Office to monitor the capacity of the MADF with respect to correctional officers and inmate safety and will continue to evaluate the need for additional resources.

Requests for additional resources to complete the funding plan of the Behavioral Health Housing until will be consider as part of the annual countywide budget development process. The current cost estimate for construction of a Behavioral Health Housing Unit is \$65 million, of which the County currently has \$39 million in funds identified. The unfunded gap for construction of a facility is \$26 million.