

Attachment 4 – Racial Equity Analysis

Overview: Describe your program or policy and the desired results and outcomes?

a. Who/what does this program, policy, or plan have an ability to impact?

- Children and youth
- Criminal Justice
- Environment
- Government practices
- Health
- Human Services
- Planning/development
- Public Health prevention and environmental stewardship

b. What is the program, policy, or plan?

This Board item proposes adoption of a County ordinance prohibiting the retail sale and distribution of nitrous oxide canisters (“whippets”) within the unincorporated areas of Sonoma County, while allowing exemptions for legitimate professional and commercial uses including dental, medical, and culinary applications. The item also directs staff to continue addressing kratom-related concerns through existing enforcement and regulatory authorities rather than adopting a new local ordinance at this time.

The proposal is intended to address increasing public health concerns associated with recreational nitrous oxide misuse, particularly among youth and young adults, and environmental impacts associated with discarded canisters.

c. What are the desired results (in the community) and outcomes (within your own organization)?

- Desired Community Outcomes
 - i. Reduce youth and community access to nitrous oxide products primarily marketed or used for recreational inhalation.
 - ii. Reduce public health harms associated with nitrous oxide misuse.
 - iii. Reduce environmental blight and hazardous waste impacts associated with discarded canisters.
 - iv. Promote safer retail environments and increase public awareness regarding substance misuse risks.
 - v. Encourage coordinated regional approaches among Sonoma County jurisdictions.
- Organizational Outcomes
 - i. Improve consistency in County enforcement and prevention approaches.
 - ii. Clarify regulatory expectations for retailers and enforcement agencies.

- iii. Support cross-departmental coordination among Environmental Health, Tobacco Prevention, law enforcement, and prevention partners.
- iv. Continue monitoring emerging substance-use trends and state regulatory developments related to kratom.

d. What are the indicators/performance measures that would show if you were achieving those desired results?

Potential Indicators include:

- Reduction in observed nitrous oxide canister litter and hazardous waste disposal incidents.
- Reduction in retailer sales or availability of nitrous oxide products intended for recreational misuse.
- Increased retailer compliance with ordinance requirements.
- Reduction in youth access concerns identified through prevention and outreach efforts.
- Tracking complaints, code enforcement actions, or law enforcement incidents related to nitrous oxide misuse.
- Ongoing monitoring of substance-related public health data where available.
- Continued city participation in coordinated regional approaches.

Data Collections and Analysis: What's the data? What does the data tell us?

a. Geographic Impact: Will the program, policy, or plan have impacts in specific geographic areas (neighborhoods, areas, or regions)? What are the racial demographics of those living in the area? Who is the most negatively impacted in your analysis?

The proposed ordinance would apply countywide within the unincorporated area. Impacts are expected to be greatest in commercial corridors where nitrous oxide products are currently sold and in areas where discarded canisters have been reported.

While available data do not identify a specific racial group as disproportionately using nitrous oxide, youth and young adults are consistently identified as populations at elevated risk for recreational misuse and associated health harms. Communities already experiencing environmental burdens may also benefit from reductions in canister litter and improper disposal.

b. Community Insights: What does population level (this is community level data) data, including quantitative (the numbers) and qualitative (the stories) data, tell you about existing racial inequities? What does it tell you about root causes or factors influencing racial inequities?

Sonoma County data and broader public health research demonstrate persistent disparities in health outcomes, access to preventive services, and environmental conditions across communities. While local data on nitrous oxide misuse are limited, youth and young adults appear to bear a disproportionate share of the health risks associated with recreational use. Additionally, communities with fewer prevention resources or barriers to accessing health information may be less likely to receive education regarding the risks of nitrous oxide misuse. No local data currently demonstrate significant racial disparities in nitrous oxide misuse itself.

Risks associated with nitrous oxide inhalation include neurological injury, oxygen deprivation, impaired motor function, and accidental injury or death. Environmental concerns related to discarded canisters also affect community cleanliness, neighborhood conditions, and hazardous waste management. The County seeks to balance public health protections with equitable implementation and avoidance of disproportionate punitive impacts.

c. Program, Policy, Plan Insights: What performance level data (this is your department's/County level data) do you have available for your program, policy, or plan?

Existing County prevention and enforcement programs already support:

- Youth substance-use prevention
- Retail compliance inspections
- Environmental health enforcement
- Public education and outreach

The proposed ordinance builds upon these existing frameworks rather than creating entirely new enforcement systems. Staff also identified interest from multiple cities in regional coordination and aligned implementation.

d. Data Gaps: Are there data gaps? If so, how can you obtain better data? What additional data would help analyze the program, policy, or plan?

Current data gaps include:

- Limited localized demographic data specific to nitrous oxide misuse
- Limited disaggregated data related to enforcement interactions
- Limited environmental tracking data associated with canister disposal volumes

Additional data that would support future analysis includes:

- Youth survey data related to nitrous oxide access and use
- Geographic mapping of disposal hotspots
- Community feedback from disproportionately impacted populations

The County may continue gathering information through prevention partnerships, environmental monitoring, and community engagement activities.

Community Engagement: How have communities been engaged?

a. Who are the most affected community members who are involved with or have lived experience related to this program, policy, or plan? How have you involved these community members in the development of this program, policy, or plan?

Outreach included meetings with local jurisdictions, prevention partners, environmental agencies, retailers, and organizations serving youth. Feedback consistently highlighted concerns regarding youth access, increasing visibility of discarded canisters, retailer confusion regarding existing law, and interest in a coordinated regional response.

b. What community engagement/strategic partnerships are already underway (departmental or organization-wide)? What was learned from the past community engagement/partnership processes?

Existing partnerships include:

- Public health prevention partnerships, including the Teen Health Advisory Coalition, and the Prevention Partnership;
- Tobacco prevention collaborations, including Tobacco Free Sonoma County Coalition;
- Environmental and hazardous waste programs, including Zero Waste Sonoma;
- Regional coordination efforts across all ten jurisdictions in Sonoma County;

The outreach process identified support for regional consistency, retailer clarity, youth prevention efforts, and environmental protection.

c. What has your engagement process told you about the burdens or benefits for different groups?

Community engagement identified:

- Broad support for reducing youth access and misuse
- Strong concern regarding environmental impacts from discarded canisters
- Need for clear exemptions for legitimate business and medical uses
- Concern regarding inconsistent regional enforcement if jurisdictions are not aligned

Potential burdens include:

- Compliance impacts on retailers
- Risk of uneven enforcement outcomes if implementation is not carefully monitored

d. What has your engagement process told you about the root causes that produce or perpetuate racial inequity related to this program, policy, or plan?

Engagement identified several contributing factors:

- Increased availability and accessibility of nitrous oxide products
- Limited awareness regarding health risks
- Marketing and product accessibility that may appeal to youth
- Environmental impacts from improper disposal
- Inconsistent regulation across jurisdictions

Broader structural inequities related to prevention, access, education, and public health investment may also contribute to disparities in impacts

e. What does the community need to know about this program, policy, or plan?

The community needs clear information regarding:

- Health risks associated with nitrous oxide misuse
- Scope of the ordinance

- Legitimate exemptions
- Retailer responsibilities
- Disposal and environmental impacts
- Available prevention and education resources

f. What are ways to minimize any negative impacts (harm to communities of color, increased racial disparities, etc.) that may result? What opportunities exist for increasing racial equity?

Strategies include:

- Prioritizing education and prevention before punitive enforcement
- Providing multilingual and culturally responsive outreach materials
- Monitoring enforcement practices for disparate impacts
- Coordinating with community-based organizations
- Ensuring legitimate medical and commercial uses remain accessible
- Emphasizing public health and environmental outcomes over criminalization approaches

Analysis and Strategies: What are your strategies for advancing racial equity?

a. Given what you have learned from research and stakeholder involvement, how will your recommended actions increase or decrease racial equity? Who will benefit from or be burdened by your proposed strategies?

The proposed ordinance advances equity by reducing access to a substance associated with disproportionate health risks among youth and young adults, while applying a uniform retail standard across businesses in the unincorporated area. Because substance-related enforcement activities have historically produced disparate impacts in some communities, implementation will prioritize retailer education, voluntary compliance, and monitoring of enforcement practices to minimize inequitable outcomes.

b. What are potential unintended consequences? What are the ways in which your program, policy, or plan could be modified to enhance positive impacts or reduce negative impacts for impacted communities?

Potential unintended consequences include:

- Uneven enforcement across jurisdictions
- Increased retailer confusion
- Potential displacement of sales to neighboring jurisdictions
- Potential for inequitable enforcement practices
- Retailers located in lower-income communities or operated by owners with limited English proficiency may face greater challenges understanding new requirements

Mitigation strategies include:

- Clear retailer education

- Regional coordination with cities
- Ongoing review of enforcement practices
- Continued public health messaging and prevention strategies
- Monitoring implementation impacts over time
- Multilingual educational materials and proactive retailer outreach

c. Are there complementary strategies that you can implement? What are ways in which existing partnerships could be strengthened to maximize impact in the community? How will you partner with stakeholders for long-term positive change?

Complementary strategies include:

- Youth prevention education
- Behavioral health outreach
- Environmental cleanup partnerships
- Coordination with schools and youth-serving organizations
- Regional city collaboration
- Data-sharing and monitoring partnerships

Existing partnerships may be strengthened through coordinated prevention campaigns and continued engagement with impacted communities.

d. Are the impacts aligned with your community outcomes defined in the Overview? If not, what will you change in order to create alignment?

Implementation and ongoing monitoring will be important to ensure equitable outcomes continue over time.

Implementation: What is your plan for implementation?

If adopted, implementation activities may include:

- Retailer notification and education
- Development of enforcement guidance and protocols
- Coordination among Environmental Health, Tobacco Prevention, law enforcement and local code enforcement
- Public education campaigns, prioritizing limited-English proficiency retailers, multilingual materials, youth-focused messaging, culturally responsive outreach, and coordination with schools and youth-serving organizations
- Regional coordination with cities
- Environmental disposal coordination
- Ongoing monitoring and evaluation

Implementation will prioritize education, prevention, and compliance support before escalated enforcement actions where appropriate.

The implementation plan is:

- Realistic
- Adequately funded
- Adequately resourced with personnel
- Adequately resourced with mechanisms to ensure successful implementation and enforcement

At this time, it is not sure of the plan is Adequately resourced to ensure on-going data collection, public reporting, and community engagement and the following resources or actions are needed:

Enhanced public health data collection tools

- Additional multilingual outreach materials
- Ongoing evaluation capacity
- Continued regional coordination resources
- Additional prevention and education funding opportunities

Accountability and Communication: How will you ensure accountability, communicate, and evaluate results?

- a. How will impacts be documented, evaluated, and shared? How will the public know whether you are achieving the anticipated outcomes? How will you report on community impacts?**

The County may monitor:

- Retail compliance activities
- Community complaints and concerns
- Environmental cleanup and disposal trends
- Prevention and outreach efforts
- Enforcement actions and outcomes
- Geographic distribution of enforcement activities
- Retailer education activities
- Demographic information when available

Updates may be shared through:

- Board updates
- Department reporting
- Public communications
- Regional coordination meetings

- b. How will you continue to partner and deepen relationships with the communities most impacted to make sure your work to advance racial equity is working and sustainable for the long-haul? How and when will you check back in with community to share your findings and hear their feedback?**

The County intends to continue engagement with:

- Youth-serving organizations
- Community prevention partners
- Environmental organizations
- Cities and regional agencies
- Retail and business stakeholders

Feedback opportunities may include community meetings, outreach efforts, and ongoing prevention partnerships.

c. What communication strategies will help advance racial equity?

Communication strategies include:

- Clear, accessible public health messaging
- Multilingual outreach materials where appropriate
- Emphasizing prevention and education approaches
- Transparent communication regarding implementation and enforcement
- Data-informed public narratives focused on health, prevention, and environmental impacts rather than criminalization