

2023-2024

# CONSOLIDATED FINAL REPORT

## SANTA CRUZ COUNTY CIVIL GRAND JURY

---



Hwy 1 on the Slow Coast

### THE REPORTS

**Santa Cruz County Local Roads**

**We Can Do Better with Our Jails!**

**County Behavioral Health Services – A State of Mind**

**Honoring Commitments to the Public**

**Best Interest of a Child – Report on Child Protective Services**

**Victims of the CZU Wildfire – Four Years Later**

**Housing For Whom?**

**New Recruiting Ideas for the Personnel Department**

**City of Santa Cruz: Preventing Rape and Domestic Violence**

---





## TABLE OF CONTENTS

<b>FOREPERSON'S LETTER</b>	ii
<b>2023-2024 SANTA CRUZ COUNTY CIVIL GRAND JURY MEMBERS</b>	iv
<b>THE REPORTS</b>	
<b>Santa Cruz County Local Roads</b>	1
<i>A smooth path through paradise or a hell of a road?</i>	
<b>We Can Do Better with Our Jails!</b>	23
<i>Better Healthcare and Reentry Support</i>	
<b>County Behavioral Health Services - A State of Mind</b>	69
<i>Focus. Fund. Save.</i>	
<b>Honoring Commitments to the Public</b>	89
<i>Review of 2020-21 Grand Jury Report Responses</i>	
<b>Best Interest of a Child - Report on Child Protective Services</b>	103
<i>Perception Is Reality</i>	
<b>Victims of the CZU Wildfire - Four Years Later</b>	113
<i>The Flame Still Burns</i>	
<b>Housing For Whom?</b>	139
<i>An Investigation of Inclusionary Housing in the City of Santa Cruz</i>	
<b>New Recruiting Ideas for the Personnel Department</b>	159
<i>Residents Deserve a Fully Staffed Workforce</i>	
<b>City of Santa Cruz: Preventing Rape and Domestic Violence</b>	183
<i>Where's The Priority?</i>	

---



**SANTA CRUZ COUNTY**  
Civil Grand Jury

701 Ocean Street, Room 318-I  
Santa Cruz, CA 95060  
(831) 454-2099  
grandjury@scgrandjury.org

June 27, 2024

Honorable Katherine Hansen, Grand Jury Supervising Judge  
Superior Court of California, County of Santa Cruz  
701 Ocean St.  
Santa Cruz, CA 95060

Dear Judge Hansen,

On behalf of the 2023-24 Santa Cruz County Civil Grand Jury, it is with great pride that I present our Consolidated Final Report to the residents of Santa Cruz County. For this term, the Grand Jury chose nine topics for its investigative reports, including reports on behavioral health services, jail conditions, affordable housing shortages, and rural road conditions. The Grand Jury delved thoroughly into each one in order to provide informed and balanced guidance. Legal provisions were followed throughout the term as detailed in Government Code sections 23000 through 23027, 24054, and 26525 and Welfare & Institutions Code 17006.

The Grand Jury's mission is to "shine a light" on local government agencies and to update our community on areas needing improvement, as well as recognizing jobs well done. Our hope is that the recommendations included in each report, if adopted, will generate progress on pressing issues facing our County. While each report stands alone, in concert they reflect the difficulties our County faces - with limited funding - to address the underlying issues of housing, poverty and mental health amongst our residents. From agency staffing, to child protection, to behavioral health, these root causes pose a consistent challenge.

Nineteen ordinary citizens from all walks of life came together to produce this Consolidated Final Report. Jurors have fulfilled their duties with distinction and have served their community selflessly and with great professionalism. Through the research of the inner workings of local government, we, the Jury, have come away with a greater understanding of, and appreciation for, our local government and the employees who keep it running.

---

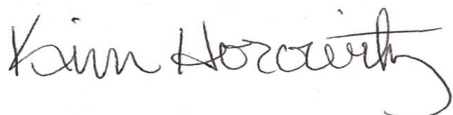
The Grand Jury could not have carried out its duties without the support of our admins, John Rible, David Heinz, Eric Decker, and Suzanne Mann. These volunteers are former jurors who provide training and technical support to streamline our editing and publishing process. In addition, we have been aided throughout our term by our County Counsel, Ann Jackson, and Supervising Judge, Katherine Hansen. Both have provided legal advice during our investigations and reviewed our reports. We thank them for their assistance.

It has been my distinct privilege and honor to act as this term's foreperson. It has been a humbling experience with challenges along the way and obstacles to overcome. At the same time, the experience has been immensely rewarding. I come away with a deeper appreciation for the important role that our Grand Jury system plays in our community. The Santa Cruz County Civil Grand Jury service is an example of our California democracy at its best.

The variety of report topics in this Consolidated Final Report merit the interest of all residents. Transparency and efficiency serve all of us. My hope is that readers study the Grand Jury recommendations contained in each report and then pay attention when responses from County and City agencies are reported. Do agencies agree to work towards meeting these recommendations? If the answer is yes, the hope is that residents monitor progress towards fulfillment of those government commitments. If no, that should also be noted, and questioned as to why.

This Grand Jury term has come to an end. It is now in the hands of the community to see the process through, and in this way, carry on the Grand Jury's mission.

Sincerely,

A handwritten signature in black ink that reads "Kim Horowitz". The signature is written in a cursive style with a large, sweeping flourish at the end.

Kimberly Horowitz, Foreperson  
2023–2024 Santa Cruz County Civil Grand Jury





2023-2024

## SANTA CRUZ COUNTY CIVIL GRAND JURY

*Back Row:* Kevin Dempsey, Dan Brodsky, Steve Pleich, Alta Northcutt, Steve Shupe, Al Morgan, Dick Lovelace, Sethuraman Suresh, and Jim Goodrich

*Front Row:* Stephen Bosworth, Karen McBride, Lalitha Parameswaran, Gillian Greensite, Kim Horowitz, Marina Archer, Lorie Goudie, Judy Keenan, and Richard Hencke

**Foreperson Kim Horowitz**

**Foreperson Pro Tempore Kevin Dempsey**

**Treasurer Steve Shupe**

**Secretary Alta Northcutt**

*Photo Credits: Cover picture by Shmuel Thaler / Santa Cruz Sentinel,  
Picture of Jurors is a personal photo.*



**SANTA CRUZ COUNTY**  
Civil Grand Jury

701 Ocean Street, Room 318-I  
Santa Cruz, CA 95060  
(831) 454-2099  
grandjury@scgrandjury.org

## **Santa Cruz County Local Roads**

### **A smooth path through paradise or a hell of a road?**

---

#### **Summary**

During our investigation the Grand Jury has found that roads in the unincorporated area of Santa Cruz County are in deplorable condition. Currently more than 63% of the local roads are in poor to failed condition. This has prompted almost daily complaints to the County Board of Supervisors and the County agencies responsible for road maintenance.

Chronic underfunding of roads and culverts has led to a deficit approaching one billion dollars. For decades, the County's strategy has been to forgo spending money on the roads that are in the worst condition and concentrate on pavement preservation on roads that are already in fair to good condition. Many unincorporated roads haven't been resurfaced for decades.

Funding of County road maintenance is a complicated subject involving local, state and federal agencies. Most of the funds are targeted and the County has little discretion on how they are spent.

One possible source of additional funding for unincorporated roads could come from Special District 9D (1-3). Overseen by the Local Agency Formation Commission (LAFCO), it contains a road assessment fee that hasn't been increased in 36 years.

Given the chronic underfunding of rural road maintenance, our local roads are becoming increasingly unsafe for daily travel and emergency access.

### Table of Contents

**Summary..... 1**

**Table of Contents.....2**

**Background..... 3**

**Scope and Methodology..... 5**

**Investigation.....6**

    Maintenance of Roads..... 6

        Backlog of Deferred Maintenance.....7

    Pavement Preservation..... 8

    Funding of Road Maintenance..... 8

        Proposition 13..... 9

        General Fund..... 10

        Measure D..... 10

        Special District 9D (1-3)..... 11

        SB1..... 12

        Measure K Sales Tax Increase..... 13

        Other Funding Sources..... 13

**Conclusion..... 13**

**Findings..... 14**

**Recommendations..... 15**

**Required Responses..... 16**

**Invited Response..... 16**

**Definitions..... 16**

**Sources..... 17**

    References..... 17

    Site Visits.....22





**Figure 1.** Laurel Road Pavement Condition Index (PCI) 10 in 2019 report.<sup>[1]</sup>

## Background

Ask just about anyone living in Santa Cruz County (County) what they see as the five most significant problems facing the County and they will very likely cite poor road conditions as one of these. (See examples in Figure 1 above and Figure 2 below).

Approximately one half of the County's population live in the unincorporated areas, with much of that population living on rural and mountainous roads.<sup>[2]</sup> Many of these roads are not a high priority in the County's view due to their limited use and have been ignored and neglected for years. This has resulted in anger and frustration on the part of the people affected. They wonder why their road has not been resurfaced for decades. The Santa Cruz County Department of Public Works (DPW) and the Santa Cruz County Board of Supervisors (BoS) receive complaints about poor road conditions on a daily basis.

As borne out by metrics, our local roads have continued to get worse over the last several decades.<sup>[3]</sup> Poor maintenance, climate change, our geographical location, and the unique coastal mountain geology and topography have created havoc with our roads. They take a real beating.



**Figure 2.** Mountain Charlie Road - PCI 16/100.<sup>[8]</sup>

To make matters worse, our County, for reasons that will be discussed, is in poor financial straits to the point where deferred maintenance of our road network is into the hundreds of millions of dollars and climbing. The County has lacked the financial resources to fix and maintain our roads using the general budget allocation.<sup>[4]</sup> As a consequence, the County relies on additional funding from outside sources. These include funds from Special District 9D 1-3 (1983), Measure D (2016), California Senate Bill 1 (SB1) (2017) and the most recent Measure K sales tax increase (2024). All these sources of funding help, but still leaves the County with a large funding shortfall. Most of this funding is allocated through formulas and the County has little discretion with how it can be spent.

As a consequence of this financial conundrum, the DPW has found it necessary to prioritize how its insufficient funds are spent on the road network. It is apparent that the general strategy is to spend the money on roads that can benefit from less expensive pavement preservation over ones that are poor or failed. The roads currently being maintained tend to be of high-use and require less money as they are already in fair to good condition. The reasoning is that the cost of pavement preservation is a fraction of the cost for repairing or reconstructing a road in poorer shape.<sup>[5]</sup> This is not a formal policy on the part of the County and many residents are not aware of this unstated strategy. The BoS have input within their district on what roads get worked on with Measure D funds.<sup>[6]</sup> However, the current maintenance strategy is one of the three described in the Pavement Management Program Update (PMP). As a consequence, most rural local roads will have little to no maintenance in the current 5-year plan.<sup>[3]</sup>

The road network is the lifeblood of our County. The 586 miles of County roads are used every day by our citizens in one way or another.<sup>[7]</sup> Every day, people travel on our roads to get to and from work and school. The U.S. Postal Service, sanitation, PG&E and other businesses use our roads to deliver products and services to us. Emergency services such as fire, police and ambulance services use our roads to keep us safe.

## Scope and Methodology

The Grand Jury sought to establish the current and projected status of the road network in the unincorporated areas of Santa Cruz County. The Grand Jury also wanted to examine the role of the DPW, within the Santa Cruz County Community Development and Infrastructure Department (CDI), the maintenance and repair of the road network and the effectiveness of the programs and procedures. In addition, the Grand Jury wanted to study the budgeting and funding mechanisms relating to the maintenance and repair of the County roadways.

Our investigation included the following:

- Investigation of the DPW's maintenance programs for County roads
- Review of the DPW's budget and funding for maintenance and whether there is a shortfall
- Determine how often roads are surveyed and how condition is tracked
- Determine whether the current maintenance program is catching up on deferred maintenance or if the DPW is falling further behind
- Determine whether emergency access is used as a criterion for road maintenance priority

The Grand Jury examined various State, Federal and County agency documents and websites, as well as several news media articles. Interviews with CDI staff, members of the BoS, and a staff member of the Santa Cruz County Regional Transportation Commission (RTC) were conducted. The Grand Jury also attended town hall meetings, toured road sites and tested the complaint system.

## Investigation

### Maintenance of Roads

For more than 35 years, the County has used Pavement Management Program Software (PMPS) called StreetSaver. The software program is designed to provide objective information so managers could make decisions regarding maintenance of the road system.<sup>[9]</sup>

In addition, every 5 years or so, the County has had a consulting company perform an independent audit of the condition of the roads resulting in a Pavement Management Update. This audit report was last released in November of 2019. Among other things, this report documents the condition of the County roads. The PCI utilizes a 100 point scale. The scale is broken down into five broad categories as shown in Figure 3 below.<sup>[10]</sup>

I	Good/Very Good		100
II/III	Fair (non-load)	Fair (load-related)	65
IV	Poor		45
V	Very Poor/Failed		25
			0
<b>Condition Category</b>	<b>Pavement Condition</b>		<b>PCI</b>

**Figure 3:** Pavement Condition Categories by PCI.<sup>[10]</sup>

The road classification system goes from major arterials, minor arterials, major collectors, minor collectors to local roads. Funding sources can limit the type of roads where the funds are used.<sup>[11]</sup>

New roads have an average life expectancy of about 15-20 years without maintenance.<sup>[12]</sup> Primary wear happens with traffic as well as weather (sun and rain). Tree roots also cause road damage. Culverts are used to drain water away, which sometimes clog or fail. Cracks can develop in the road surface from these factors. Cracks allow water intrusion into the roadbed which contribute to pothole formation and road deterioration. Periodic sealing of these cracks, fixing potholes and clearing culverts keeps the road in good shape and can extend its life by a decade or more. More than 63% of the local roads are in poor to failed condition as noted in the 2019 PMP.<sup>[13]</sup>

The PMP prepared by Nichols Civil Engineering (NCE) for the County in 2019 recommended that arterials be inspected every two years and that residential roads be inspected every four to five years.<sup>[14]</sup> The Grand Jury has not been able to assess if these inspections have taken place.

The DPW monitors road conditions mainly through observations made by road crews when carrying out assignments as well as feedback from the public.<sup>[15]</sup> The public can inform the County of road problems such as potholes via the “My Santa Cruz County” mobile app for phones (both Apple and Android), the “My Santa Cruz County” website <https://cconnect.santacruzcounty.us/> or by phone at (831) 454-2160.<sup>[16]</sup>

Several members of the Grand Jury tested the mobile app with fairly good results once the app was loaded. Some struggled with initially loading the app when in rural areas as it seemed very sensitive to weak internet connections. Repairs were performed in as little as a week for the potholes reported during our testing of the system.

The long-term failure of the County to adequately maintain the local classified County roads has led to the current condition and failed roads. Large potholes with drivers swerving to miss them can cause accidents. Many of these rural County roads also do not meet more recent safety standards developed by the Central Fire District of Santa Cruz County for proper emergency services support in case of a wildfire. Roads shall be 20’ wide exclusive of shoulders and have an overhead clearance of 15’.<sup>[17]</sup> Safety is one criteria or mandate the RTC uses in making decisions on which projects to fund.<sup>[18][19]</sup>

Similar to a car, regular maintenance is critical for the long life of a road. Maintenance costs dramatically increase the longer a road is left to deteriorate. A failed road can take more than eight times the amount of money to rehabilitate compared to one receiving regular maintenance.<sup>[5]</sup> The estimated 2019 reconstruction costs for a road was more than \$1 million a mile and that has gone up substantially in the last few years. This does not take into account the wear and tear a poorly maintained road causes to vehicles, the safety of drivers and pedestrians trying to avoid potholes and the delay in supplying timely emergency services in the time of need.<sup>[20]</sup>

Maintenance is different from failure repairs but can be related. It is well known that the Santa Cruz County mountain geology contributes to road closures due to slides, fallen trees and water washout of roads in heavy rains. In addition to normal maintenance the County must repair failures from storms and natural disasters.<sup>[21]</sup>

## **Backlog of Deferred Maintenance**

Multiple disasters in recent years have caused widespread damage to Santa Cruz County roads. However, the biggest threat to our roads could be deferred maintenance (aka “unfunded backlog”). Deferred maintenance is maintenance that is needed but can’t be done because of a lack of funds. The current backlog is estimated to be around \$401 million. That figure is projected to climb to \$479 million by 2028.<sup>[22][23]</sup>

Santa Cruz County's average Pavement Condition Index is less than 48 (as of 2019) which is 17 points below the statewide average. With the current funding level, it is projected to be 38 in 2024, and it is further projected to drop to 33 by 2028.<sup>[3]</sup>

The state of the culvert system is another factor in evaluating the condition of the road network. Damaged or clogged culverts are a big reason why roads get washed out. When a road washes out, it takes the roadbed with it, costing 10 times more to fix.<sup>[24]</sup> There are approximately 6,000 culverts countywide and many are damaged or failed.<sup>[25]</sup>

Currently, the deferred maintenance of the culvert system is estimated to be around \$400 million.<sup>[26] [27]</sup> That brings the deferred maintenance total to approximately \$801 million for the culverts and roads.

The more that is done sooner to maintain our roads, the less we will have to pay later.

### ***Pavement Preservation***

Pavement preservation was identified by the U.S. Department of Transportation as an important task for the government to facilitate in 1988.<sup>[28]</sup> The roadways we use are important to our everyday lives. In a county like Santa Cruz, we have many different transportation systems, with roads playing an important role in society, allowing our citizens to move about with private cars, buses, bikes and even walking. All must be able to coexist for a well-functioning community.

County roads have been needed to allow movement of the population for more than 100 years and that need will continue into the foreseeable future. Paved roads have a finite life. Performing lower cost pavement preservation can more than double a road's useful life. Similar to tires or brakes on a car, roads wear and need maintenance to preserve their ability to serve the population. Without preservation, roads deteriorate to a point where they need to be replaced or rebuilt at a higher cost.<sup>[29]</sup>

Historically, the County has used a combination of slurry seals, rubberized chip seals, and single chip seals as well as micro-surfacing for preservation treatments.<sup>[30]</sup> Preservation is good but it is not the whole story. Pavement preservation is no longer effective once a road has deteriorated to a PCI of less than 25. At that point the road needs to be reconstructed.<sup>[31]</sup>

With the current practice of the County primarily performing preservation work, local roads are mostly being ignored except for an occasional pothole repair or emergency repair because of a catastrophic failure. The County fails to use a balanced approach performing road maintenance as long as the County has limited resources preventing it from doing all that is wanted or needed.

### ***Funding of Road Maintenance***

The 2019 PMP suggested that the maintenance program was being funded yearly in the amount of \$8 million dollars.<sup>[32]</sup>

Funding comes from multiple sources, the main ones are:

- County General Fund
- Measure D
- Special District 9D (1-3)

- SB1
- Measure K

In addition, there are several other sources of funding:

- Fuel Taxes
- Road use payments from companies with County contracts, like Greenwaste
- Vehicle registration fees
- New construction project assessments

The funding balance changes annually, with the 9D funding being the only reliable source. Major projects can also be funded through grants and programs from the State and Federal governments.

If approved, declared disaster emergency repairs may be reimbursed from the following sources: Federal Emergency Management Agency (FEMA) funds 75% and State funds 12.5%, with the County paying the remaining 12.5% for road repair.<sup>[33]</sup> However, there is a catch. Even if the County follows the requirements of FEMA, funds can be reduced or delayed even after repairs have been completed. It can take as much as three to five years to get reimbursed from FEMA. Normally the County will secure the funds to perform repairs quickly when possible and then have to wait for reimbursements from FEMA and the State. This sometimes means that the County needs to take out loans that have to be repaid with interest. Currently the County is waiting for reimbursements of more than \$144 million.<sup>[34]</sup>

Some funding sources from California are distributed through the RTC.<sup>[35]</sup> The County must apply for project funding and compete with the local cities for these limited resources. The RTC has specific criteria that must be met that may preclude the money from being used where the County needs it most, mainly on poor, very poor and failed local roads (as shown in Figure 4).

Condition Category	PCI Range	Arterials (%)	Collectors (%)	Locals (%)	Entire Network Area(%)
Good (I)/Very Good	65-100	5.6	15.5	9.9	31.0
Fair (II/III)	45-64	3.6	10.6	8.3	22.5
Poor (IV)	25-44	1.0	7.1	13.8	21.9
Very Poor/Failed (V)	<25	0.5	5.8	18.3	24.6
<b>Total</b>		<b>10.7</b>	<b>39.0</b>	<b>50.3</b>	<b>100</b>

Figure 4. Pavement Network Breakdown by Functional Classification.<sup>[13]</sup>

**Proposition 13**

No discussion of funding would be complete without some discussion of California Proposition 13 (Prop 13) as it has had a large impact on County funding. In 1978, Prop 13 fixed the property tax rate in California at 1% of the assessed value.<sup>[36]</sup> 13.5% of the

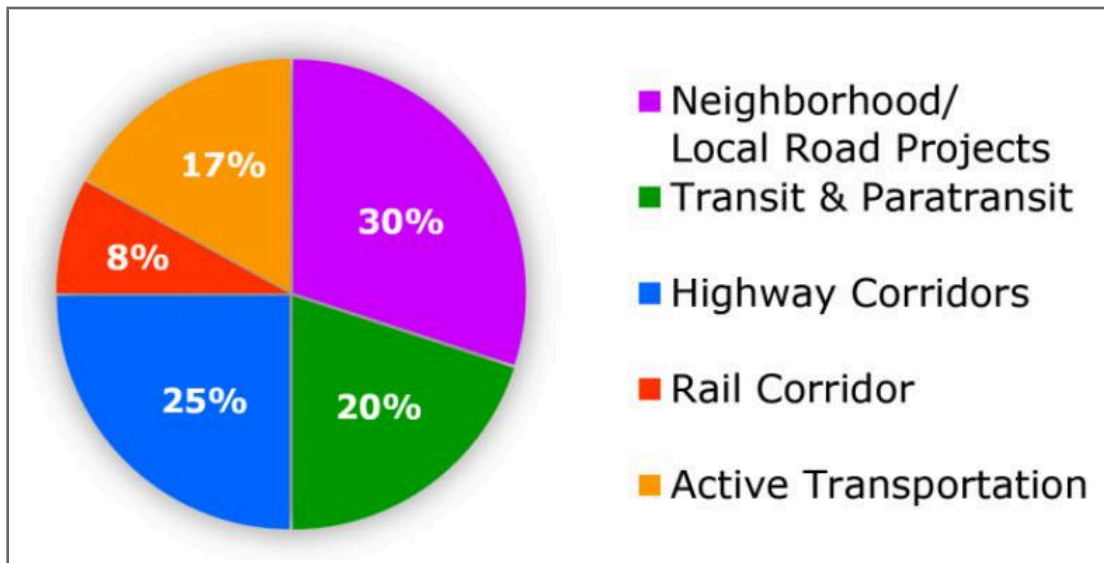
tax collected is sent to the County of Santa Cruz to provide mandated services to its residents.<sup>[37]</sup> The Santa Cruz County government receives one of the smallest percentages of all the counties within the state. The funding percentage is based on the proportionment prior to the passage of the proposition. State Assembly Bill 8 set the proportionment after Prop 13 passed.<sup>[38]</sup>

**General Fund**

Primary, direct funding comes from the County General Fund. The Grand Jury was unable to find enough detail in the County budget reports to break out how much specific funding was going to routine maintenance, which is separate from general road repairs and improvements. Even with all of the funding sources, County roads are being underfunded by more than 60% every year.<sup>[3]</sup> New projects like the Rail Trail, Highway 1 expansion and the “Complete Streets” project on Soquel Avenue have diverted funds that could have been used for basic road maintenance.

**Measure D**

In November of 2016 Measure D, a ½ cent sales tax increase, was approved by the voters raising approximately \$17 million annually. 30% goes to Neighborhood/Local Road Projects. The expenditure plan distributes the funds to 5 categories of projects as seen in Figure 5.



**Figure 5.** Allocation of Measure D Revenues.<sup>[39]</sup>

The RTC administers the expenditure of all Measure D revenues and supplies reports on completed projects and a 5-year funding plan.<sup>[40]</sup>

The June 2023 Measure D updated 5-year Funding Plan shows that the Santa Cruz County District 1 Supervisor has chosen not to provide Measure D funds to the District 1 road resurfacing program. The other Districts have road work listed for in the Measure D Funding Plan.<sup>[41]</sup>



### Special District 9D (1-3)

Road repairs in the unincorporated areas of the County are also partly funded by County Service Area (CSA) Special Districts 9D (Zones 1-3). (Figure 6 below) The current flat assessments are \$56.40 on improved properties and \$28.20 on unimproved properties in the unincorporated areas of the County. CSA 9D funds account for over 25% of current funding for County road maintenance.<sup>[42] [43]</sup>

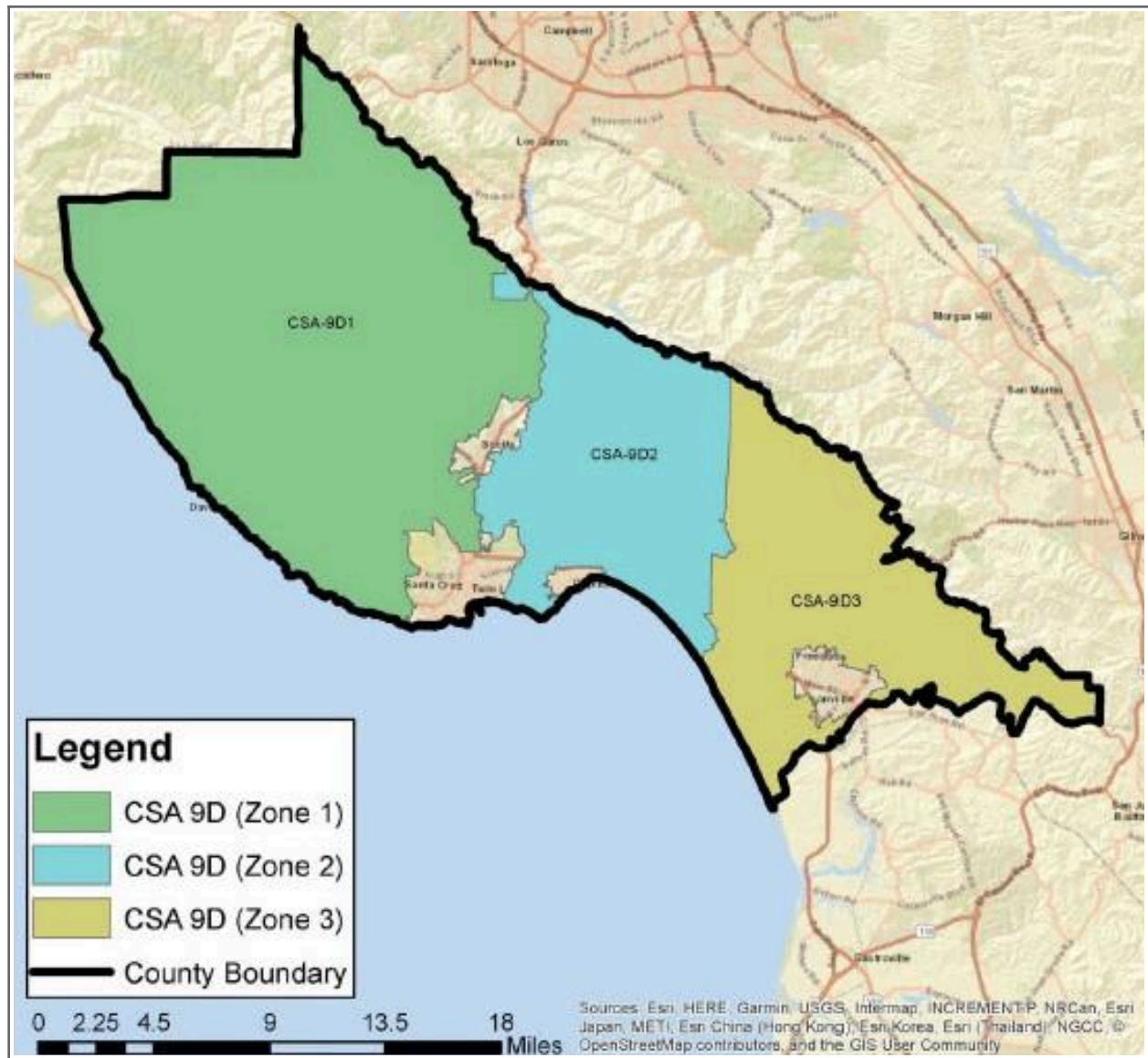


Figure 6. 9D Special Districts Zones<sup>[42]</sup>

CSA 9D is a Special District governed by Santa Cruz County Government Code Section 25210. Most special districts are formed by local residents with approval from LAFCO. Special District 9D was created by Resolution 366-83 in June of 1983 and Resolution #42-89 by the County BoS in December of 1988.<sup>[44] [45] [46]</sup>

Proposition 218, passed in November of 1996, added additional restrictions to the operations of Special Districts. All Special Districts developed prior to 1996 were grandfathered in, including 9D, and presumed to be valid. These additional restrictions limit how CSA 9D can be modified as any changes will need to adhere to the new regulations.<sup>[47]</sup>

LAFCO is required to perform a periodic review of Service Districts. The last review of CSA 9D is dated August 5, 2020. The report states that “the Board of Supervisors determined that the sub-zones’ service charges would vary based on the extent of benefit derived from such service provided to parcels within the sub-zones.”<sup>[48]</sup>

LAFCO found the County has not varied the amount of the service charge since inception. The three zones that comprise 9D generate approximately \$2.7 million annually.<sup>[48] [49]</sup> Failure of the County to form the Special District with the inclusion of a range of assessment rates or a built-in inflationary adjustment, which was allowed at the time, has caused this important funding source to become inadequate over time. Average inflation over this time has been 3.45% a year. If the annual inflation had been part of the formula, a rate approximately 3.76 times the current amount would now be charged.<sup>[42] [50]</sup>

LAFCO’s report is supposed to detail revenue and expenses for the Special District with sufficient detail for the public to understand how their taxes are being used. The Grand Jury found that there was not sufficient detail in the publicly available LAFCO or County budget reports to determine how the funding was being used. The LAFCO report showed 100% of the funding coming from the property assessment taxes and 100% of the expenditure being used for “services and repairs,” but without any detail on what those services and repairs were.<sup>[51]</sup> The published budget from the County was also lacking this detail. Residents currently are not able to determine how their CSA 9D taxes were being used except in a general way. They could not determine what roads were repaired or resurfaced in their zone or what repairs were performed. There is no way to determine that the funds were used correctly in the zone, where the funding took place, and to confirm the funds were not commingled with general DPW funding. Commingling of funds is not allowed.

## **SB1**

California SB1, also known as the Road Maintenance and Rehabilitation Act (SB1), was passed in 2017 in order to reward local communities for creating new revenue sources to fund their own transportation needs. Santa Cruz County qualified for SB1 matching funds by passing Measure D in 2016.<sup>[52]</sup>

The State designated the Santa Cruz County Regional Transportation Commission to select projects that meet the requirements set forth by the California Transportation Commission (CTC). These requirements include safety (cars, pedestrians, bicyclists), maintenance of transportation assets (roads, bridges and culverts), transportation efficiency and the reduction of the carbon footprint.<sup>[52] [53]</sup>

Currently, SB1 funds are being used as matching funds to State and Federal relief efforts responding to the devastating storms of 2017 and 2023. Due to the extensive

damage from these events, it is unlikely that the County will be able to use SB1 funds for resurfacing of local roads for the foreseeable future.<sup>[54] [55] [56]</sup>

The Federal Infrastructure Investment and Jobs Act of 2021 and the State’s Road Repair and Accountability Act of 2017 (SB1) will provide \$16 million for Santa Cruz County for some much needed improvements. None of these funds will be used to fund repair of poor or failed roads. The funding will be applied to two highway projects in the County.<sup>[57]</sup>

### **Measure K Sales Tax Increase**

Measure K passed in March 2024 within Santa Cruz County, increasing the sales tax rate ½ percent in the unincorporated areas. This tax is estimated to bring in \$10 million in extra revenue to the County General Fund after the first year. The tax will continue indefinitely unless changed by another measure. \$1 million or 10% of the Measure K funding is earmarked for road maintenance and County infrastructure projects for the first year, per the Measure K voting materials. These funds go into the General Fund and are not guaranteed to be used for road maintenance. Even if the full \$1 million annual funds were used for local roads, it could only pay for about one mile of paving of a very poor or failed road.<sup>[58] [59]</sup>

### **Other Funding Sources**

Another source of revenue for local streets and roads comes from the State Transportation Improvement Program (STIP). This program is primarily funded by fuel taxes collected by the State and redistributed through STIP back to local agencies. The RTC is in charge of deciding where these funds are spent in the County following guidelines set down by the California Transportation Commission.<sup>[60]</sup>

The fuel tax revenue received from the State is based on the number of road miles and the number of registered vehicles in the County. Unfortunately, this source of funds has become unreliable. This tax has less purchasing power due to inflation, fuel efficiency, and the increased use of electric and hybrid vehicles.<sup>[61]</sup>

An additional funding source is the Vehicle Licensing Fees (VLF) collected by the Department of Motor Vehicles (DMV): 37.5% of these fees are returned to the County to use for road maintenance.<sup>[62]</sup>

### **Conclusion**

Local roads in unincorporated Santa Cruz County are severely underfunded and as a result are in deplorable shape. The Grand Jury feels the best opportunity to increase substantial funding is to address the deficiency in Special District 9D. The NCE’s report predicts that under the current spending level, our roads will deteriorate even further. The County cannot afford this increasing liability. Additional funding sources (e.g., Measure D and K) are helpful but wholly inadequate to address the current and projected deferred road and culvert maintenance. This leaves unincorporated County residents at a higher risk of delayed emergency response and strandings.

## Findings

- F1.** Underfunding the road and culvert maintenance work on the 586 miles of County roads in unincorporated Santa Cruz County for more than four decades has created a backlog of deferred maintenance currently exceeding  $\frac{3}{4}$  of a billion dollars which creates a hazard for residents.
- F2.** Due to the large shortfall in funding, Santa Cruz County Department of Public Works adheres to the accepted practice promoted by the Federal Highway Administration and RTC of prioritizing pavement preservation over pavement restoration. Much of the public lacks awareness of this practice in the absence of a formally documented policy which impacts voter choices.
- F3.** The County road maintenance strategy differs by Supervisorial District leading to inconsistent road repair expectations among districts. This lack of a coordinated strategy leaves residents frustrated and with a sense of unfair treatment.
- F4.** Storms of 2017 and 2023 caused significant road failures. Contributing factors were inadequate culvert, drainage ditch, and road surface maintenance which led to culvert failures and full road washouts leaving residents stranded or incurring significant delay.
- F5.** The County of Santa Cruz has failed to ask unincorporated County voters to increase the funding of the Special District 9D (1-3) road assessment fee since its inception in 1988, which has resulted in a drastic loss of revenue for maintaining County roads.
- F6.** The County of Santa Cruz has failed to perform resurfacing maintenance on many of the smaller unincorporated local roads, resulting in higher failure rates and at least a 10 times increased maintenance cost when and if those roads are resurfaced.
- F7.** Santa Cruz County's neglect of unincorporated local roads for many decades has led to an average Pavement Condition Index of less than 48 (as of 2019) which is 17 points below the statewide average. With the current funding level, it is projected to be 38 in 2024, and it is further projected to drop to 33 by 2028 which will leave the County in a position to experience higher catastrophic road failures.
- F8.** The County prioritizes preventive maintenance of roads in fair to good condition over road repair and reconstruction due to limited discretionary funds. As a result, many residents in local road areas will have to contend with very poor/failed roads into the foreseeable future.
- F9.** The most recent LAFCO and County reports fail to provide detailed accounting of how 9D funds are being spent. The result is that taxpayers lack the information to ensure that generated funds are being used appropriately.
- F10.** Minor progress has been made in seeking and securing additional funding sources. The additional funding is far short of what is needed to maintain and repair the road network.

- F11.** Measure K funds go directly into the General Fund and road maintenance funding expenditures are only recommended. This may allow the funding to go to other needs.

## Recommendations

- R1.** The Grand Jury recommends that the DPW complete a public report by December 31, 2024 which shows the prioritization of culvert and drainage ditch maintenance in order to help prevent road washouts that are more costly to repair. (F1, F5)
- R2.** The Grand Jury recommends that the Board of Supervisors increase annual funding to the DPW to improve at least one local road segment with a PCI of less than 40 as listed in the Pavement Management report, in each Supervisorial district starting December 31, 2024. (F1, F2, F7, F8, F9)
- R3.** The Grand Jury recommends that the DPW supply information to LAFCO detailing expenditures in each of the three zones of CSA 9D for the years 2020-2023 by October 31, 2024. (F6, F10)
- R4.** The Grand Jury recommends that LAFCO issue a new County Service Area 9 Service and Sphere of Influence Review incorporating detailed data of expenditures for each 9D zone by March 15, 2025. (F6, F10)
- R5.** The Grand Jury recommends that the County Board of Supervisors should begin the process necessary to increase the funding in CSA 9D to an amount in line with what is needed to reduce the backlog of very poor and failed road repairs by December 31, 2024. (F6)
- R6.** The Grand Jury recommends that the County Board of Supervisors take steps necessary to add a consumer price index increase to CSA 9D, as allowed by law, by December 31, 2024. (F6)
- R7.** The Grand Jury recommends that the County Board of Supervisors continue to prioritize a minimum of 10% of Measure K funds to repair roads in the County with a PCI of 25 or less by December 31, 2024. (F10, F11)
- R8.** The Grand Jury recommends that the DPW formalize its policy of abandoning pavement restoration on very poor and failed Local roads into a publicly available document in order to inform affected property owners and prospective buyers by December 31, 2024. (F2, F3, F4, F7, F9)

## Required Responses

<i>Respondent</i>	<i>Findings</i>	<i>Recommendations</i>	<i>Respond Within/ Respond By</i>
Santa Cruz County Board of Supervisors	F1–F11	R1–R3, R5–R8	90 Days September 3, 2024
LAFCO	F6, F10	R4	90 Days September 3, 2024

## Invited Response

<i>Respondent</i>	<i>Findings</i>	<i>Recommendations</i>	<i>Respond Within/ Respond By</i>
Director, Community Development and Infrastructure, Public Works Dept.	F1-F6, F10	R1, R3, R8	90 Days September 3, 2024

## Definitions

- **BoS:** Board of Supervisors, Santa Cruz County
- **CDI:** Santa Cruz County Community Development and infrastructure Department, includes the Department of Public Works
- **CSA:** County Service Area (Special District) formed by citizens or County to provide services paid by tax assessment on properties within the area covered
- **CTC:** California Transportation Commission
- **DPW:** Department of Public Works, County of Santa Cruz
- **FEMA:** Federal Emergency Management Agency
- **LAFCO:** Local Agency Formation Commission of Santa Cruz County
- **Measure D:** 2016 Measure to fund Transportation with ½ cent sales tax measure for 30 years
- **Measure K:** 2024 Measure to increase sales tax by ½ percent in unincorporated areas of Santa Cruz County
- **NCE:** Nichols Civil Engineering
- **PCI:** Pavement Condition Index
- **PMP:** Pavement Management Program Update (NCE Nov. 2019 Final Report)<sup>[7]</sup>
- **PMPS:** Pavement Management Program software (also known as “Streetsaver”)
- **Prop 13:** Proposition 13- “People's Initiative to Limit Property Taxation”, 1978
- **Proposition 218:** 1996 “Right to Vote on Taxes Act”- Governing Act for Special districts
- **SB1:** California Senate Bill #1- “Road Repair and Accountability Act of 2017”

- **RTC:** Santa Cruz County Regional Transportation Commission
- **Special District:** Formed with approval by LAFCO to fund specific work
- **STIP:** State Transportation Improvement Program
- **Streetsaver:** Pavement Management Program Software used by the County

## Sources

### References

1. March 23, 2024. "Laurel Road-Pavement Condition Index 10." *Juror supplied photo*. Accessed April 10, 2024.
2. March 24, 2024. "Santa Cruz County Government." *Santa Cruz County Chamber of Commerce*. Accessed March 24, 2024. <https://www.santacruzchamber.org/santa-cruz-county-governments.html#:~:text=Santa%20Cruz%20County%20is%20atypical.unincorporated%20areas%20of%20the%20County>.
3. November 1, 2019. Department of Public Works. *Pavement Management Program Update Final Report*, p. 11. Accessed December 12, 2023. <https://dpw.co.santa-cruz.ca.us/Portals/19/pdfs/Newsletters%20DPW/January%2020.pdf>
4. August 30, 2023. Auditor-Controller-Treasurer-Tax Collector. *Final Tax Rate Book 2023-2024*, p. 190. Accessed March 24, 2024. <https://www.santacruzcountyca.gov/Portals/0/County/auditor/Final%20Tax%20Rate%20Book%202023-24.pdf>
5. January 1, 2020. DPW. S.C. Co. *DPW Road Resurfacing*, p. 4. Accessed December 14, 2023. <https://dpw.co.santa-cruz.ca.us/Portals/19/pdfs/Newsletters%20DPW/Roads1.pdf>
6. Confidential Grand Jury interview.
7. Pavement Management Program Update Final Report. November 1, 2019. DPW. *NCE-Pavement Management Progress Update final Report 11/2019*, p. 2. Accessed December 12, 2023. <https://www.dpw.co.santa-cruz.ca.us/Portals/19/pdfs/Roads/2019%20Pavement%20Management%20Report.pdf>
8. March 23, 2024. "Mt. Charlie Road PCI11." *Juror supplied photo*. Accessed April 10, 2024.
9. Pavement Management Program Update Final Report. November 1, 2019. DPW. *NCE-Pavement Management Progress Update final Report 11/2019*, p. 1. Accessed February 9, 2024. <https://www.dpw.co.santa-cruz.ca.us/Portals/19/pdfs/Roads/2019%20Pavement%20Management%20Report.pdf>

10. Pavement Management Program Update Final Report. November 1, 2019. DPW. *NCE-Pavement Management Progress Update final Report 11/2019*, p. 3. Accessed February 9, 2024.  
<https://www.dpw.co.santa-cruz.ca.us/Portals/19/pdfs/Roads/2019%20Pavement%20Management%20Report.pdf>
11. December 22, 2023. *CRS-Functional Classification*. Accessed December 15, 2023.  
[https://gisdata-caltrans.opendata.arcgis.com/datasets/cf4982ddf16c4c9ca7242364c94c7ad6\\_0/about](https://gisdata-caltrans.opendata.arcgis.com/datasets/cf4982ddf16c4c9ca7242364c94c7ad6_0/about)
12. Ayres. May 9, 2023. "Factors affecting the lifespan of Paved Roadways," p. 1. *Ayres Associates*. Accessed March 23, 2024.  
<https://www.ayresassociates.com/the-long-and-short-of-it-lifespans-of-paved-roads/>
13. Pavement Management Program Update Final Report. November 1, 2019. *NCE-Pavement Management Progress Update final Report 11/2019*, p. 7. Accessed February 9, 2024.  
<https://www.dpw.co.santa-cruz.ca.us/Portals/19/pdfs/Roads/2019%20Pavement%20Management%20Report.pdf>
14. NCE. November 1, 2019. "2019 Pavement Management Progress Update," p. 18. Department of Public Works County of Santa Cruz
15. County of Santa Cruz webmaster. December 19, 2023. "Report an Issue or Submit a Request." *Webpage confirming interview statement that road department accepts public input*. Accessed December 19, 2023.  
<https://dpw.co.santa-cruz.ca.us/ReportProblem.aspx>
16. Santa Cruz County. January 1, 2015. "My Santa Cruz County / MySCCounty." *Apple App / website*. Accessed December 19, 2023.  
<https://cconnect.santacruzcounty.us/>
17. Mike DeMars Fire Marshal. October 13, 2023. "Access Road Requirements," p. 2. County of Santa Cruz- Central Fire District
18. Confidential Grand Jury interview.
19. August 1, 2023. "Evaluation-Criteria," p. 1. *SCCRTC*. Accessed March 25, 2024.  
<https://sccrtc.org/wp-content/uploads/2023/08/02.-Evaluation-Criteria.pdf>
20. SCCRTC. June 1, 2022. *SCCRTC. 2045 Regional Transportation Plan*, p. Chapter 6-page 7. Accessed December 22, 2023.  
<https://sccrtc.org/funding-planning/long-range-plans/2045-regional-transportation-plan/>
21. Confidential Grand Jury interview.
22. October 6, 2023. "Lack of Funding for Road Repairs Leaves Santa Cruz County Struggling to Keep Up." Accessed January 15, 2024.  
<https://www.kron4.com/news/california/lack-of-funding-for-road-repairs-leaves-santa-cruz-county-struggling-to-keep-up/>



23. Zach Friend. September 1, 2021. “Overview of Funding and Where Your Taxes Go.” *Growing Up in Santa Cruz*. Accessed January 15, 2024.  
<https://growingupsc.com/road-funding/>
24. Art DeGaetano, Northeast Regional Climate Center. February 15, 2018. “Extreme Rainfall Analysis Can point to Right Size for Culverts.” *U.S. Climate Resilience toolkit*. Accessed March 27, 2024.  
<https://toolkit.climate.gov/case-studies/extreme-rainfall-analyses-can-point-right-size-culverts>
25. Confidential Grand Jury interview.
26. Confidential Grand Jury interview.
27. Confidential Grand Jury interview.
28. October 26, 1998. DOT. *Ideas, Strategies, and techniques for Pavement preservation*, p. 7. Accessed March 24, 2024.  
<https://www.fhwa.dot.gov/pavement/pubs/014729.pdf>
29. Federal Highway Administration. January 1, 2000. Federal Highway Administration. *Public Roads: vol.63 no. 4*, p. 1. Accessed December 29, 2023.  
<https://highways.dot.gov/public-roads/januaryfebruary-2000/pavement-preservation-preserving-our-investment-highways#:~:text=Pavement%20preservation%20includes%20preventive%20maintenance,requiring%20major%20rehabilitation%20or%20reconstruction.>
30. Pavement Management Program Update Final Report. November 1, 2019. *NCE-Pavement Management Progress Update final Report 11/2019*, p. 8. Accessed February 9, 2024.  
<https://www.dpw.co.santa-cruz.ca.us/Portals/19/pdfs/Roads/2019%20Pavement%20Management%20Report.pdf>
31. Pavement Management Program Update Final Report. November 1, 2019. *NCE-Pavement Management Progress Update final Report 11/2019*, p. 8. Accessed February 9, 2024.  
<https://www.dpw.co.santa-cruz.ca.us/Portals/19/pdfs/Roads/2019%20Pavement%20Management%20Report.pdf>
32. NCE. November 1, 2019. “Pavement Management Progress Update,” p. 16.
33. Confidential Grand Jury interview.
34. Christopher Neely. (no date). *Lookout*. Accessed February 20, 2024.  
[https://www.google.com/url?q=https://lookout.co/santa-cruz-county-budget-crisis-climate-change-storms/?utm\\_medium%3Demail%26utm\\_source%3DActiveCampaign%26utm\\_campaign%3DMorning%2520Lookout%2520022024&sa=D&source=editors&ust=1711664163610495&usg=AOvVaw3PBYntfN26il5rzYRgNAXx](https://www.google.com/url?q=https://lookout.co/santa-cruz-county-budget-crisis-climate-change-storms/?utm_medium%3Demail%26utm_source%3DActiveCampaign%26utm_campaign%3DMorning%2520Lookout%2520022024&sa=D&source=editors&ust=1711664163610495&usg=AOvVaw3PBYntfN26il5rzYRgNAXx)

35. June 1, 2022. "2045 Regional Transportation Plan," p. 1. SCCRTC. Accessed March 6, 2024.  
[https://www.google.com/url?q=https://sccrtc.org/wp-content/uploads/2022/02/Chapter%25205%2520Funding%2520Our%2520Transportation%2520System.pdf&sa=D&source=editors&ust=1711664163611465&usg=AOvVaw3U0SrdtbQqg8F7\\_JictKa](https://www.google.com/url?q=https://sccrtc.org/wp-content/uploads/2022/02/Chapter%25205%2520Funding%2520Our%2520Transportation%2520System.pdf&sa=D&source=editors&ust=1711664163611465&usg=AOvVaw3U0SrdtbQqg8F7_JictKa)
36. League of California Cities. August 1, 2021. "League of California Cities- Proposition 26 and 218 implementation Guide August 2021," p. 11. League of California Cities
37. August 30, 2023. Auditor-Controller-Treasurer-Tax Collector. *Final Tax Rate Book 2023-2024*, p. 190. Accessed March 24, 2024.  
<https://www.santacruzcountycalifornia.gov/Portals/0/County/auditor/Final%20Tax%20Rate%20Book%202023-24.pdf>
38. Carolyn Chu. January 27, 2016. "Why the Mid-1970s Play a Large Role in Property Taxes Today," p. 2. *Legislative Analysts office*. Accessed November 30, 2023.  
<https://lao.ca.gov/LAOEconTax/Article/Detail/166>
39. November 1, 2023. "Fact Sheets-5 year Plan 2023," p. 1. SCCRTC. Accessed April 10, 2024.  
<https://sccrtc.org/wp-content/uploads/2023/11/FactSheet-MeasureD-1-page.pdf>
40. June 30, 2022. SCCRTC. *Santa Cruz County Measure D Fund*, p. 17. Accessed January 4, 2023.  
<https://sccrtc.org/wp-content/uploads/2023/03/2.-Financial-Statements-Measure-D-Final-FY21-22.pdf>
41. June 1, 2023. DPW. *Measure D Funding Updated 5 Year Plan*, p. 3. Accessed March 28, 2024.  
<https://dpw.co.santa-cruz.ca.us/Portals/19/pdfs/Roads/5%20Year%20Plan%20%282023%29.pdf>
42. LAFCO document. August 15, 2023. LAFCO. *County Service Area 9 Service and Sphere of influence Review Adopted version August 5th 2020*, p. 47. Accessed December 15, 2023.  
<https://santacruzlafco.org/wp-content/uploads/2020/08/CSA-9-Service-Review-Adopted-Version-8-5-20.pdf>
43. August 30, 2023. Auditor-Controller-Treasurer-Tax Collector. *Final Tax Rate Book 2023-2024*, p. 194. Accessed March 24, 2024.  
<https://www.santacruzcountycalifornia.gov/Portals/0/County/auditor/Final%20Tax%20Rate%20Book%202023-24.pdf>

44. LAFCO document. August 15, 2023. LAFCO. *County Service Area 9 Service and Sphere of influence Review Adopted version August 5th 2020*, p. 44. Accessed December 15, 2023.  
<https://santacruzlafco.org/wp-content/uploads/2020/08/CSA-9-Service-Review-A-adopted-Version-8-5-20.pdf#page=45>
45. Justia Law. January 1, 2022. *Justia Law*. 25210.1. “2022 California Government code 25210.1.” Accessed December 15, 2023.  
<https://law.justia.com/codes/california/2022/code-gov/title-3/division-2/part-2/chapter-2-5/article-1/section-25210-1/>
46. January 1, 2022. *GIS DATA County*. Accessed December 18, 2023.  
<https://gis.santacruzcounty.us/arcserver/rest/services/opendata/mapserver/36#page=1>
47. League of California Cities. August 1, 2021. “League of California Cities,” p. 16.
48. LAFCO document. August 15, 2023. LAFCO. *County Service Area 9 Service and Sphere of influence Review Adopted version August 5th 2020*, p. 45. Accessed December 15, 2023.  
<https://santacruzlafco.org/wp-content/uploads/2020/08/CSA-9-Service-Review-A-adopted-Version-8-5-20.pdf#page=46>
49. LAFCO document. August 15, 2023. LAFCO. *County Service Area 9 Service and Sphere of influence Review Adopted version August 5th 2020*, p. 46. Accessed December 15, 2023.  
<https://santacruzlafco.org/wp-content/uploads/2020/08/CSA-9-Service-Review-A-adopted-Version-8-5-20.pdf#page=47>
50. March 28, 2024. *online inflation calculator*. Accessed March 28, 2024.  
<https://www.officialdata.org/us/inflation/1978?amount=100000>
51. LAFCO document. August 15, 2023. LAFCO. *County Service Area 9 Service and Sphere of influence Review Adopted version August 5th 2020*, p. 48. Accessed December 15, 2023.  
<https://santacruzlafco.org/wp-content/uploads/2020/08/CSA-9-Service-Review-A-adopted-Version-8-5-20.pdf#page=65>
52. March 1, 2019. “Commission's SB-1 Implementation Plan.” Accessed March 6, 2024.  
<https://catc.ca.gov/programs/sb1/implementation-plan>
53. January 1, 2024. “RTC Funding Programs,” p. 1. SCCRTC. Accessed March 7, 2024.  
<https://sccrtc.org/funding-planning/funding-overview/>
54. May 1, 2017. California Transportation Commission. *Senate Bill 1 (SB 1) The Road Repair and Accountability Act Of 2017*, p. 1. Accessed March 28, 2024.  
<https://catc.ca.gov/programs/sb1>
55. June 1, 2023. CDI. *What a Winter*, p. 2. Accessed December 14, 2023.  
<https://dpw.co.santa-cruz.ca.us/Portals/19/pdfs/Newsletters%20DPW/June%202023.pdf>

56. Santa Cruz County DPW. January 22, 2024. "Transportation Improvements: Measure D and SB-1," p. 1. *DPW*. Accessed January 22, 2024.  
<https://dpw.co.santa-cruz.ca.us/Home/TransportationRoads/MeasureDandSB1.aspx>
57. PK HATTIS | pkhattis@santacruzsentinel.com. February 20, 2024. "State provides \$16 million for transportation infrastructure work in Santa Cruz County," p. 1. *Santa Cruz Sentinel*. Accessed March 17, 2024.  
<https://www.google.com/url?q=https://www.santacruzsentinel.com/2022/08/25/state-provides-16-million-for-transportation-infrastructure-work-in-santa-cruz-county/?clearUserState%3Dtrue&sa=D&source=editors&ust=1711717918733677&usq=AOvVaw2GzHNGIBevbeNuZ9Sw3Sfn>
58. January 1, 2020. DPW. S.C. Co. *DPW Road Resurfacing*, p. 4. Accessed December 14, 2023.  
<https://dpw.co.santa-cruz.ca.us/Portals/19/pdfs/Newsletters%20DPW/Roads1.pdf>
59. January 1, 2024. "Resolution Calling For An Election (Sales Tax Increase)." *Santa Cruz County Elections Department website*. Accessed April 10, 2024.  
<https://votescount.santacruzcountyca.gov/Portals/16/mar24/Measure%20K%20Resolution.pdf>
60. Confidential Grand Jury interview.
61. December 13, 2023. "California gas tax revenue will drop by \$6 Billion threatening roads," p. 1. *Cal Matters*. Accessed March 29, 2024.  
<https://calmatters.org/environment/2023/12/gas-tax-revenue-drop-climate/>
62. CA DMV. (no date). "Where Do Your 2018 Fees Go?," p. 3. *CA DMV website*. Accessed December 11, 2023.  
[https://www.dmv.ca.gov/portal/dmv-research-reports/department-of-motor-vehicle-s-dmv-performance-reports/where-did-your-2018-fees-go/#:~:text=37.2%25%20goes%20to%20Local%20Government,to%20State%20Highways%20\(Caltrans\).](https://www.dmv.ca.gov/portal/dmv-research-reports/department-of-motor-vehicle-s-dmv-performance-reports/where-did-your-2018-fees-go/#:~:text=37.2%25%20goes%20to%20Local%20Government,to%20State%20Highways%20(Caltrans).)

## Site Visits

Rural Santa Cruz County roads in all districts.



**SANTA CRUZ COUNTY**  
Civil Grand Jury

701 Ocean Street, Room 318-I  
Santa Cruz, CA 95060  
(831) 454-2099  
grandjury@scgrandjury.org

## **We Can Do Better with Our Jails!**

### Better Healthcare and Reentry Support

---

#### **Summary**

Santa Cruz County is a compassionate community. Residents expect that while justice is being served, all inmates, especially the mentally ill, will be treated humanely and with respect while being held in our jails. The same compassion was expressed by Jail staff on our tours and in our interviews.

In this year's report, the Santa Cruz County Civil Grand Jury challenges the Sheriff's Department to improve the treatment and safety of jail inmates living with mental illness and to develop innovative and effective post release reentry programs. The Grand Jury believes we can do better with some operational changes:

#### **Improve Medical and Mental Health Care in the Jail**

- Conduct Health Service Audits of medical records for quality of care improvements.
- Improve Discharge planning for better continuity of care.
- Update training for medical and correctional staff on the proper use of Safety Cells for mentally ill patients/inmates, to meet State requirements and to comply with the Sheriff's policy and procedures manual.
- Instruct Medical and Jail staff on when it is appropriate to transfer suicidal inmates to a Mental Health Facility either in or, if necessary, outside the county.

#### **Inmate Rehabilitation and Reentry**

- Reopen the closed units and move all qualified inmates to the Rountree Rehabilitation and Reentry to prepare them for return to the community with new job skills development, education, work release and transitional programs.
- Do not block Grand Jury inmate interviews and allow the Grand Jury to observe classes and programs.

## Table of Contents

<b>Summary</b>	<b>1</b>
<b>Table of Contents</b>	<b>2</b>
<b>Background</b>	<b>3</b>
Why this topic matters for County residents	3
<b>Scope and Methodology</b>	<b>3</b>
<b>Investigation</b>	<b>4</b>
Classification Determines Housing Facility	5
The Main Jail	5
The Rountree Medium Security and Rehabilitation Facility	7
The Blaine Street Women's Jail	10
A Type of Incarceration Outside the Jail System - LPS facilities	10
Medical and Mental Health Care in the Jail	11
Medical and Mental Health Treatment in the Jail	12
Inmate Rehabilitation and Reentry	17
<b>Conclusion</b>	<b>21</b>
<b>Findings and Recommendations</b>	<b>22</b>
Group 1: State Standards (Title 15) Compliance Issues	22
Group 2: Better Jail Conditions, Rehabilitation and Reentry Preparation	23
Group 3: Access to Inmate Interviews and Rehabilitation Programs	24
<b>Commendations</b>	<b>24</b>
<b>Required Responses</b>	<b>25</b>
<b>Invited Responses</b>	<b>25</b>
<b>Definitions</b>	<b>25</b>
<b>Sources</b>	<b>27</b>
References	27
Site Visits	34
<b>Appendix A – Penal Code Governing the Grand Jury</b>	<b>35</b>
<b>Appendix B – Safety Cells Description</b>	<b>36</b>
<b>Appendix C – Jail Programs and Services While Serving Sentences</b>	<b>37</b>
<b>Appendix D – Out-of-Custody Post-Jail Reentry Community Programs</b>	<b>38</b>
<b>Appendix E – Key Title 15 Policies Used in this Report</b>	<b>40</b>

---

## Background

The California Penal Code 919(b) specifies that the Grand Jury shall inquire into the conditions and management of the public prisons, jails, and juvenile detention facilities within the County.<sup>[1]</sup>

Santa Cruz County residents are concerned with the proper treatment of incarcerated persons. Our community's values align with better conditions for the inmates and jail staff. Residents are also concerned about the use of "Safety Cells," particularly as it relates to inmates with mental illness. The Grand Jury was told that historically the Corrections Bureau believes that *Reentry Begins at Booking*.<sup>[2]</sup> The Grand Jury embraces this statement and would hope these are not only nice words, but actual practice. The phrase lends itself to the Rountree facility name: Rountree Reentry and Rehabilitation facility. The Grand Jury investigated just what programs and classes were offered to inmates.

We have a mental health crisis in this country and in our county. The statistics show that in the Santa Cruz Jails 30%-40% of those incarcerated suffer from mental health disorders and are likely on, or need, psychotropic medication. That makes our jails, in effect, the largest mental healthcare facility in the county.<sup>[3]</sup>

### ***Why this topic matters for County residents***

Do you know someone in your family or perhaps someone connected to you who has been incarcerated in the Santa Cruz County Jail? If not, you may not understand what a life-changing experience it would be to have all your freedoms taken away.

### **Medical and Mental Health Care in the Jail**

- Residents expect the mentally ill resident to be cared for in health facilities, not housed in jail.
- Inmates serving sentences or being held for pre-trial should not be mistreated with improper use of Safety Cells.

### **Inmate Rehabilitation and Reentry**

- Residents agree with the Jail's philosophy "Reentry Begins at Booking."
- Residents expect that inmates are prepared for re-entry.
- Residents are interested in knowing more about the Jail's Rehabilitation and Reentry classes, programs, services, and activities which prepare inmates for reentry.

## Scope and Methodology

The Grand Jury limited the scope of this investigation to informing the public on two areas. One was the current conditions in the jail for all inmates, but particularly for those suffering with mental illness. Secondly, we investigated what programs and activities are in place to prepare inmates for their eventual release.

Along with touring all the correctional facilities, the Grand Jury:

1. Conducted eight (8) interviews with concerned citizens, jail supervisors and staff, and legal and academic experts on correctional facilities.
2. Reviewed numerous reports that have looked at jail operations for compliance of requirements noted in the state regulations governing prisons and jails (Title 15) (See [Appendix E](#) for Key Title 15 Policies In this Report) and the Sheriff's policies and procedures governing Santa Cruz County Jails.
3. Compared those minimum requirements with current Jail operations.
4. Identified gaps in current inmates' medical care and services for the mentally ill.

## Investigation

The Grand Jury members learned from the tour that the staff is deeply dissatisfied with the physical conditions at the Main Jail. The Grand Jurors agreed the conditions are not good for the mental health of both inmates and staff. Even if you are in good mental health, just being in the jail building is disturbing and stressful. It is definitely traumatizing if you already are suffering from mental illness. As empathetic members of the community, the Grand Jury tried to imagine what it must be like for a person to go through the judicial process while in Jail. The Grand Jury is also hopeful that if inmates participate in the programs and activities offered by the Jail, reentry into the community can be made easier.

Imagine yourself an inmate in our local County Jail awaiting trial and you are presumed innocent. Imagine that in addition to your legal problems, you are struggling with mental health issues. Now imagine that you are placed in isolation in a "safety cell" with minimal psychiatric care and virtually no supervision to make sure you are actually safe and receiving treatment.

And imagine suffering from a mental health condition, and because of a crisis, you end up in jail. You are in a totally unknown environment. No one explains anything to you that you can understand. You are put in a small white cell where everything is made out of concrete. You have no physical ability to receive mail or have photos that remind you of friends or family. And if your condition worsens, you may not be transferred to an appropriately higher level of care. Instead you may be pepper sprayed, tased, tied to a chair, and finally dragged to a safety cell with no water or toilet where you may languish up to 48 hours. That may happen multiple times.

Also imagine, if you can, that you have finally navigated the labyrinthine and often bewildering criminal justice system and jail systems and having paid your debt to society, are eligible for release. Yet you stand at the doorway to freedom with no skills, no preparation and no practical plan to break the cycle of reoffending and recidivism.



As mandated, jurors toured the correctional facilities in Santa Cruz County. The Santa Cruz County Sheriff's Office runs four corrections facilities in the county; the Santa Cruz County Main Jail, Blaine Street Women's Facility, Rountree Medium Security Facility and the Rehabilitation and Reentry Facility.<sup>[4] [5]</sup>

While the Grand Jury toured the Juvenile Facility in Felton, the Grand Jury is not reporting on the Juvenile Facility in this report. However, we found the programs for youth are exceptional. The program, operated by the Santa Cruz Probation Department, has achieved a 41% decrease in admissions since 2013.<sup>[6]</sup>

### ***Classification Determines Housing Facility***

Once booked there is a classification procedure which determines release or housing. Those determined 'not to be released' are given a housing assignment in one of the four facilities; the Main Jail, Blain Street Women's Jail or one of the Rountree two facilities. This begins incarceration. The experience is described below with some notable facts the Grand Jury uncovered in this investigation.

### ***The Main Jail***



**Figure 1:** Santa Cruz County Main Jail. Photo courtesy of Ashley Keehn.<sup>[7]</sup>

Every adult who is arrested anywhere in the county is taken for booking to the Main Jail located at 259 Water Street in Santa Cruz. Once booked, a decision is made using a classification system to determine if a person should be released or housed.

The Sheriff's office provides alternatives to being housed in the Jail.<sup>[8]</sup> The jail operates a Custody Alternative Program, an alternative to being housed while awaiting trial. This

program diverts people away from incarceration. In January of 2024 there were 51 people on work release, 37 males and 14 females.<sup>[9] [10]</sup> Of all the people arrested and booked, about 20% do not qualify for pretrial release and therefore must be housed in the Main Jail.<sup>[11]</sup>

### **A state of uncertainty while awaiting trial**

The jails have a total capacity of 511 inmates. In 2022 there were on average 352 incarcerated men and women in the three correctional facilities, which is 73% of capacity. This does not include Blain Street Women's jail, because it was not open until May 2023.<sup>[12]</sup>

According to the 2023 Santa Cruz Criminal Justice Court Report during one month in 2022, the average daily population was 327 incarcerated persons, but only 64 were sentenced and 263 were in pretrial (not sentenced) awaiting either sentence or release. The number of incarcerated people determined to be incompetent to stand trial were 33 in 2020, 64 in 2021 and 68 in 2022.<sup>[13]</sup>

Most of us know you are deemed "innocent until proven guilty", but you are in jail, so you are treated the same as an inmate serving time. You have all your freedoms taken away and you are completely reliant on the correctional staff for your food, shelter, security, medical and mental health needs. You may imagine that this can be a very traumatic experience. See Figure 2 below.



**Figure 2:** Main Jail cell. Photo courtesy of Ashley Keehn<sup>[14]</sup>

Pretrial release times can be quite lengthy depending on many variables. Some inmates have been in pretrial status for years. As part of the booking process, a variety of tools are used to classify and segregate inmates by their gang affiliation, mental health situation, gender issues, and whether they are a potential risk to themselves or others. Your classification is reviewed monthly to make any necessary changes. A month would be a long time to wait if there was a mistake made with your classification, especially for the mentally ill.

### ***The Rountree Medium Security and Rehabilitation Facility***



**Figure 3:** Rehabilitation and Reentry – Rountree facility. Photo courtesy of Ashley Keehn<sup>[15]</sup>

Located at 90 Rountree Lane in Watsonville, the facility consists of two sections. It has a minimum security and a medium security component. It houses men only. The medium security component itself consists of two units, one of which has been closed for refurbishment for a few years. Last year's 2023 Grand Jury Jail report recommended reopening the closed unit at Rountree. It is still closed today due to staffing shortages. This would have allowed the Jail more balance of the jail population between the three facilities. It also would allow some inmates from the Main Jail to move to Rountree and take advantage of the programs available there.



**Figure 4:** Rountree Minimum Security facility. Photo courtesy of Ashley Keehn<sup>[16]</sup>

The minimum security unit is referred to as a Rehabilitation and Reentry unit and its goal is to educate and prepare inmates for reentry into the community. Most of the inmates housed at Rountree are sentenced and have agreed to attend classes and programs.

### **Sheriff Blocks Interviews with Inmates**

The Grand Jury was not permitted to interview inmates serving sentences at the Rountree Rehabilitation and Reentry facility, even though such interviews were suggested by the Bureau of State and Community Corrections (BSCC) in its instructional “Handbook for Grand Jurors.”<sup>[17]</sup><sup>[18]</sup> The BSCC is the author of the Title 15 regulations governing the minimum standards that community jails are required to adhere to in their operations. See [Appendix A](#) for the Penal Code Governing the Grand Jury.

According to the BSCC, the Grand Jury is instructed to ask the following questions as part of the Jail investigation:

**Interviews with Inmates are allowed.**

Per Penal Code Section 916, use two jurors for each individual interview with an inmate. An inmate may become intimidated if more than two jurors are present during the interview. It is a good idea to ask open-ended questions. Sample questions include:

- What do you like best about this facility?
- What is your daily schedule?
- How do you arrange to see the medical personnel?
- What is the grievance process?
- What do you do during the day?
- How did you learn about the rules?
- What would you like to see changed in this facility?
- How do you get along with staff?

It is not appropriate to discuss the inmate's offense, case or other personal matters. Your interview should focus on the experience of the inmate in the facility. If the inmate attempts to engage in a discussion of his/her case, gives you mail to send, or asks you to make a phone call, make it clear that you cannot discuss these matters.

**Figure 8:** From the 2021 BSSC Jail Inspection Handbook for Grand Jurors.<sup>[18]</sup>

The Grand Jury investigation would have been aided by inmate interviews by disclosing the perspective from someone inside of the jail. The head of the corrections bureau denied our request to attend some of the classes at Rountree to get a better understanding of how the rehabilitation program works. Attending some classes and speaking to some inmates would have greatly enhanced this Grand Jury report.

The correctional officer denied the Grand Jury request because:

1. "It has never been done before and would not want to set a bad precedent."
2. "It would be too dangerous for Jurors to talk to inmates."

The Grand Jury reviewed past Jail Reports which had inmate interviews granted under previous Sheriff administrations. The Grand Jury offered to conduct inmate interviews via Google Meet. Since Covid this has been Grand Jury policy. Virtual interviews would have solved the security issues. If teachers are allowed to teach in person why would it be dangerous for Grand Jurors to observe classes and interview inmates attending those classes?

## ***The Blaine Street Women's Jail***



**Figure 5:** Blaine Street Women's Facility. Photo courtesy of Ashley Keehn.<sup>[19]</sup>

The Santa Cruz County Blaine Street Women's Facility reopened in 2023. It is a 32-bed capacity facility located at 141 Blaine Street, next to the Main Jail. Generally, this detention facility houses women awaiting bail and inmates serving brief sentences, usually a year or less. It also has rehabilitation and reentry programs, with some designed especially for women.

### ***A Type of Incarceration Outside the Jail System - LPS facilities***

LPS - Lanterman-Petris-Short Act named after the authors of the Act, provides the statutory framework for the commitment of individuals with mental health disorders and provides protection for the legal rights of such individuals.<sup>[20]</sup> Mental Health best practices and the state regulations of Title 15 require that an inmate in a psychiatric crisis be transferred out of jail to an LPS psychiatric facility.<sup>[21]</sup> LPS designated facilities are the county's mental health treatment facilities. These facilities serve the community for Mental Health evaluation and treatment and are certified by the State Department of Health Care Services. A designated facility may include, but is not limited to, a licensed psychiatric hospital or facility and certified crisis stabilization units.<sup>[22]</sup> Such a facility would be more conducive to housing, treating or healing individuals that are dealing with serious behavioral health needs.<sup>[23]</sup>

The Grand Jury learned that Medi-Cal is authorized to pay for medical treatment only in facilities of 16 beds or less. Santa Cruz has one such facility, but could have multiple 16 bed facilities covered by Medi-Cal.<sup>[22]</sup> However, even if Santa Cruz County were able to build multiple 16 bed LPS facilities, it does not have a source of funds to operate them.<sup>[24]</sup>

## **Medical and Mental Health Care in the Jail**

- Wellpath is the contracted Medical and Mental Health provider for the Jails.<sup>[25]</sup>
- Wellpath is not fully staffed and has several vacancies in Medical and Mental Health.<sup>[26] [27]</sup>
- There are not enough resources in Santa Cruz County to meet the Mental Health needs of incarcerated persons, both while in custody, and following release from custody.<sup>[28]</sup>
- On any given day in our jail system, there are between 60-90 inmates on psychotropic medication for a mental health condition.<sup>[29]</sup>
- There are state laws (Title 15 - see Figure 13 - [Appendix A](#)) and Sheriff's policies that govern the proper treatment of incarcerated persons with medical and mental health needs.<sup>[30]</sup>

### **Wellpath - the Contracted Healthcare Provider**

In September of 2021, Santa Cruz County transitioned its inmate mental health care from County Behavioral Health to Wellpath, a private Tennessee-based provider of medical and mental health services. Wellpath clinicians work inside of the local jail system as the primary mental health support organization. However, the Psychiatrist is never onsite and uses video conferencing to evaluate, review and treat the mental health of inmates/patients. Video conferencing is used in daily rounds and when an inmate/patient is having a mental health crisis. Other mental health staff are onsite.

Their performance and level of care is subject to annual review. The contract states Wellpath must provide staffing for Medical Healthcare 24/7, and Mental Healthcare for 16-20 hours a day.

According to answers given by Wellpath on 02/13/2024 in a Request for Proposal - Vendor Report to the County, many staffing positions are currently vacant including:<sup>[26]</sup>

- One Mental Health Coordinator
- Two full time Mental Health Clinicians
- Three full time Registered Nurses
- Four full time Licensed Vocational Nurses

Some notable numbers from the report:

- Average daily # of detox patients - 12
- Average daily # of combined segregation inmates - 25-30
- Percentage of inmate population on medication - 65
- Percentage of inmate population on psych medication - 68
- Percentage of inmate population who are Severely Mentally Ill - 12

The Grand Jury is concerned with these crisis-level numbers. The workload appears to be a problem, given the vacancies of medical and mental health staff. Reducing staffing level caseloads is not the whole answer, but it is a crucial element to the question of whether inmates with mental illness are being provided with the required level of care.

A recent Santa Cruz Criminal Justice report, as well as statements by jail staff and the Health Inspector, have all expressed concerns about Wellpath's high turnover of staff and the fact that they only provide coverage for eighteen hours a day.<sup>[27] [31]</sup> While someone is always a call away, the overall effectiveness of mental health services by Wellpath is inadequate to the needs of inmates. This adversely affects inmates' mental health treatment.<sup>[3] [31]</sup> While medical staff are away, the mental health needs of the inmates are in the care of correctional staff. Because they have very limited medical training it could lead to inappropriate mental health care decisions.<sup>[32]</sup>

### **Solitary Confinement and Use of a Safety Cell**

- Formerly known as Solitary confinement, "Administrative Separation" (AD-Sep) or Modified Schedule is the physical separation of an incarcerated person from the general jail population.<sup>[33]</sup>
- The Main Jail has three Safety Cells that are video monitored 24 hours a day with 15-minute visual checks by the correctional staff - not Wellpath. There are an average of 36 inmate/patients placed on suicide watch per month.<sup>[34]</sup>
- Incarcerated individuals in and out of AD-Sep are provided a minimum of three hours of exercise and seven hours of recreation time per week.<sup>[35]</sup>
- Safety Cells are used in the Main Jail if a risk assessment deems the inmate is a danger to themselves or others, is making suicidal statements, as punishment for not following the rules, or is having a mental health crisis requiring a 5150 hold while waiting to transfer to a mental health facility.<sup>[22] [36] [37] [38] [39] [40] [41] [42] [43] [44] [45] [46] [47] [48]</sup>
- On February 28, 2024 there were forty-three (43) inmates on a Modified Schedule and for all of 2022, 321 were separated from the rest of the inmate population.<sup>[49] [50]</sup>

### **Medical and Mental Health Treatment in the Jail**

People in the criminal legal system often have a background of trauma and poverty as well as acute health needs. One-quarter have serious mental illness, many have multiple physical health conditions, and 60% of California incarcerated people have substance use disorders.<sup>[51]</sup>

Through jail tours and interviews with staff, the Grand Jury learned that the Main Jail, while not a certified mental healthcare facility, houses many mentally ill inmates.

The Grand Jury reviewed two years of reports that review medical health care in the Jail. The reports are conducted annually and are from the County Public Health officer to the Sheriff's office. The inspections were conducted by an expert with over twenty (20) years experience in reviewing and assessing Title 15 state-mandated medical conditions within county jails.<sup>[52]</sup> The inspector noted that the jails were in good compliance with regulations except for several significant deficiencies identified in this report.<sup>[37] [38] [53] [54] [55]</sup>



Among the deficiencies noted were:

- Failure to prepare Health Service Audits
- Improper use of Safety Cells
- Lack of Mental Health Services and Transfer to Treatment Facilities
- Insufficient Informed Consent
- Over-prescription of Psychotropic Medications

The following sections expand on the deficiencies noted above.

### **Health Service Audits**

According to Title 15 the health authority shall develop and implement a written plan for annual statistical summaries of healthcare and pharmaceutical services that are provided by the Jail.<sup>[56]</sup> Based on information from these audits, the health authority shall provide the facility administrator with an annual written report on healthcare and pharmaceutical services delivered.<sup>[53] [57]</sup>

Wellpath has not prepared Health Service Audits for several years. The absence of these reports, with essential data concerning the quality of care, is an obstacle to developing steps to increase inmate safety. It also hinders efforts to improve inmate health. The Jail Quality Improvement committee needs these audits to conduct valuable data analysis for data-driven medical care improvements. Also, when all jail medical staff are involved with data gathering, they can provide input and suggestions which in turn promote good morale.<sup>[54]</sup>

### **Ad-Sep and the Improper Use of a Safety Cell**

Being incarcerated, even for those in good mental health, is associated with subsequent depression and bipolar disorder and has been documented that it can worsen mental health.<sup>[58]</sup>

An incarcerated person may be isolated from the rest of the inmates in their own cell, or in some cases in a Safety Cell. Generally, Ad-Sep means spending 22 to 23 hours per day in a single cell, usually about the size of an elevator, and are only required to be provided a minimum of three hours of exercise and seven hours of recreation time per week.



**Figure 6:** A sobering cell on the left and a safety cell on the right. Photo courtesy of Ashley Keehn.<sup>[59] [60]</sup>

According to The health Inspection Report citing California Title 15 section 1209 regulations governing jails, as well as the Sheriff's own policies and procedures state, "in no case shall the safety cell be used for punishment or as a substitute for Mental Health treatment."<sup>[40] [61]</sup>

The Grand Jury has learned through reviewing relevant reports and conducting interviews that inmates are put in Safety Cells for numerous reasons including, but not limited to:

- Breaking the rules<sup>[41] [43]</sup>
- Threatening to hurt themselves and others<sup>[38] [41] [62]</sup>
- Having a Mental Health Crisis<sup>[41]</sup>

Documented evidence provided to the Grand Jury revealed that inmates were held in Safety Cells for days.<sup>[37] [38] [39] [39] [40]</sup>

*Do we really think it makes sense to lock so many people alone in tiny cells for 23 hours a day, sometimes for months or even years at a time? That is not going to make us safer. That's not going to make us stronger. And if those individuals are ultimately released, how are they ever going to adapt? It's not smart. Barack Obama, 2015<sup>[63]</sup>*

The number 5150 is the section of the California Welfare and Institutions Code that evaluates adults who are deemed to be a danger to others, himself or herself, or are gravely disabled. A 5150 hold allows an adult to be involuntarily detained for 72 hours in

a psychiatric hospital or clinic.<sup>[36]</sup> Santa Cruz has one (1) psychiatric clinic. Patients do not have to be treated in a psychiatric hospital, a clinic is sufficient. They also could be treated at the Emergency department at Dominican until transferred to an LPS facility.

To meet a 5150 hold criteria in the jail, the inmate must display suicidal thoughts as determined by a jail medical provider or, absent that, by the correctional officer in charge. However, it has been the practice in our jails to only initiate a 5150 hold immediately prior to release from the jail. Once a 5150 hold is issued you must transfer the inmate to a mental health facility for care. Waiting until discharge to initiate a 5150 hold means inmates may be held in Safety Cells for long periods of time.

Use of a 5150 hold by the Sheriff's office numbered more than twenty-six (26) per month in 2022 and there were 321 such holds in 2022, according to the Sheriff's statistics.<sup>[50]</sup>

In the report, the Health Inspector's main concern was the use of Safety Cells, and they spoke directly to the mental health professional in charge to determine if correct Title 15 procedures were being followed. According to the report, medical and jail staff were not using correct procedures.<sup>[64]</sup> This deficiency is closely related to the misuse of giving required mental health care services. It also is related to the proper procedures for transferring inmates to a mental health facility. Mental health care is provided in what are called LPS treatment facilities and are explained below.<sup>[44]</sup> To read more Safety Cell information see [Appendix B](#).

### **Role of the Crisis Intervention Team and Transfer to LPS Treatment Facility**

The Santa Cruz County Jail Crisis Intervention Team (CIT) evaluates inmates who are in a crisis and decides if the inmate needs to be transferred to a mental health facility. The CIT's focus is on those individuals who present with a stated or suspected risk to themselves, a persistent mental health disability and/or individuals who present with psychiatric symptoms. CIT staff are available 7 days a week, with limited availability on Sundays, holidays and furloughs. Staff includes licensed Crisis Intervention Specialists, a Jail Discharge Planner, Psychiatrist, Psychiatric Nurse Practitioner, a licensed supervisor and graduate level interns who provide brief counseling.<sup>[65]</sup>

The current practice of reviewing inmate classification monthly is a long time for a mentally ill inmate/patient to wait, especially if there was a mistake made in the classification. Waiting an entire month for a review could endanger inmates suffering from mental illness.

An inmate expressing ideation of suicide is considered to be in mental health crisis and should be issued a 5150 hold and transferred out of the jail to a facility able to treat a mental health crisis. The Health Inspector said Jail staff expressed a belief that many inmates will express suicide ideation to get out of jail. This is another reason they are reluctant to issue a 5150 hold. The Health Inspector believes that trained mental health staff are capable of determining the difference between false claims and real ones. However, absent an on duty medical staff member, the correctional officer in charge may issue the 5150 hold to transfer the inmate to the county LPS mental health facility. If the facility is not available, the transfer can be made to Dominican Hospital as a Psychiatric Emergency.<sup>[38] [48]</sup>

Inmates with severe mental illness are segregated in Main Jail unit "O," even though it is not an infirmary unit.<sup>[11]</sup>

The Health Inspector's main concern is the use of Safety Cells, but it is closely related to the misuse of giving required mental health services and transferring inmates to a Lanterman Petris Short (LPS) treatment facility. LPS facilities are described in the following section.<sup>[44]</sup>

Expert opinion received by the Grand Jury indicates that Santa Cruz County is not meeting the needs of the residents for mental health care.<sup>[66]</sup> California has 12.7 psychiatric beds per 100,000 adults and Santa Cruz County has 16 beds total. This is 67% below the statewide average. There is a pressing need for the creation of more LPS certified beds, for county residents at large and for the inmate population.<sup>[66]</sup>

### **In-Facility LPS Program**

The Grand Jury was informed that, when the County's 16 beds are full, the inmate/patient is transferred to another county's LPS facility that has room to receive them. The alternative is simply holding them in place or releasing them into the community without treatment or care. Research conducted by the Grand Jury suggested that an "in facility" LPS certified program would greatly benefit inmates. It would also be a much needed mental health resource for inmates.<sup>[67]</sup>

An example of an in-facility program is the Acute Stabilization Unit (ASU) at the San Mateo County Jail's Maguire Correctional Facility. This 10-bed unit focuses on the treatment of inmates who are acutely disabled by psychiatric illness and/or co-occurring substance abuse disorders. It provides a 24-hour on-site physician, nursing, and mental health clinicians to the unit. This "in facility" unit is equipped to treat inmates with a range of conditions, including depression, bipolar disorder, and schizophrenia. Through its designation as an LPS unit, the ASU is also authorized to admit and treat inmate patients who are under the conditions of involuntary civil commitment. The current physical structure of the Santa Cruz jail is not conducive to housing, treating or healing individuals dealing with behavioral health needs.<sup>[68]</sup> An in-jail ASU would greatly benefit both jail and medical staff if inmates in a mental health crisis could be transferred to an internal unit.<sup>[69]</sup>

### **Psychotropic Medications and Dosages**

Psychotropic drugs affect how the brain works and can cause changes in mood, awareness, thoughts, feelings and behavior.<sup>[70]</sup> Wellpath provides psychotropic medication prescriptions for inmates prior to release when needed and are tasked with all discharge planning. Released inmates must pay for and pick up medications from a local pharmacy after being released. If they cannot afford medication or are unable to get to a pharmacy, the likelihood they will have psychological relapses and unfavorable health outcomes increases. Studies have shown released inmates who lose access to medication have a higher rate of recidivism.<sup>[71]</sup> This report will discuss programs designed to address inmate continuum of care in a later section.

## Informed Consent

The Health Inspector's review of patient charts noted deficiencies or inconsistencies in psychiatric medication, including monitoring and dosing. Prescriptions were made in larger-than-customary dosage ranges or no specific dosage ranges at all. Best medical practice is to specify small ranges, such as 1-2 mg. The Grand Jury learned that Wellpath staff was prescribing 1-10 mg dosage ranges so that new dosages could be given without inmate discussion or obtaining informed patient consent. The Health Inspector believes that this practice resulted in medications being generally over-prescribed.<sup>[72] [73] [74]</sup>

The Grand Jury learned that there were also additional violations of the Welfare and Institutions Code requirement for informed consent.<sup>[73] [75]</sup> Wellpath is not following the Health Standards of Care and the Welfare and Institutions Code for informed consent. The inspector couldn't find any documented consent form prepared in the medical record.<sup>[73] [76]</sup> Each time a dosage changes the patient must be told of the risks and benefits of changing the dosage. The inspector was told by the medical staff that inmates gave them informed consent. However, consent was only given verbally, not in writing.<sup>[73] [77] [78]</sup> The Health Inspector reported consent must be in writing and approved by both the prescribers and the patient. No written records were found, and no records logged since November 2023.<sup>[73] [79] [80] [81]</sup>

Despite the deficiencies in mental healthcare noted above, even inmates suffering with mental illness are working toward eventual release from incarceration. Fortunately, there are programs and activities in place that are aimed at preparing all inmates for reentering society. That leads us to the next section of our report.

## Inmate Rehabilitation and Reentry

- Twenty percent of individuals booked are housed in the Jail because they are deemed not safe to be released into the community and are held pretrial.<sup>[82]</sup>
- The 86 Rountree inmates are almost all sentenced. While at the Main jail they are mostly (90%) pretrial.<sup>[83] [84]</sup>
- In custody programs, services and activities are provided to inmates. The Division of Reentry (DOR) is responsible for providing oversight and for steering the incarcerated towards reentry with new job skills development, education, work release, and transitional programs.<sup>[85]</sup>
- There are 40 programs, services and activities administered. These programs help inmates prepare for re-entry.<sup>[86]</sup>
- Rountree has three units with two for medium security, one for rehabilitation and reentry, and one that is closed.<sup>[87]</sup>
- Opening this closed unit would enable about fifteen (15) sentenced inmates housed at the Main Jail to move to Rountree.<sup>[84]</sup>
- According to Corrections, self improvement through education and vocational training classes frequently combats low esteem and hopelessness.<sup>[88]</sup>

- Preliminary findings show an early positive trend in California’s investments to improve public safety through an increased focus on rehabilitation, education, and restorative justice efforts.<sup>[71]</sup>
- In Santa Cruz County there are several community resources for inmates preparing for release from jail.<sup>[89]</sup>

According to interviews with staff many inmates, especially those in pretrial, express low esteem and hopelessness. Once sentenced the inmate is more willing to join classes and programs to help with reentry. Self-improvement through education and vocational training classes is very effective for combatting inmates’ issues.<sup>[90]</sup>

The prospect of having to search for meaningful work upon release from incarceration can be a daunting one, particularly for inmates who have been out of the labor market for a significant period of time. Additionally, inmates being released face the challenge of maintaining continuing access to both medical and mental health support and services. New programs are bringing new hope and help

### **Violation of Grand Jury Access to Inmates**

The Grand jury was denied contact with inmates as required by State instructions and training for Grand Jurors.<sup>[1][17][18]</sup> The Grand Jury requested interviewing inmates in the Rehabilitation and Reentry facility at Rountree. Inmates would give a unique perspective for the investigation of the Jail. Leadership was concerned with security and wanted to avoid setting a precedent. However, the Grand Jury has interviewed inmates in the past investigations.

### **“Reentry begins at Booking”**

The Sheriff’s Vision Statement boldly states its mission is continuous professional development of staff to address crime and promote innovative corrections solutions.<sup>[91]</sup> The Grand Jury was told the philosophy of “Reentry Begins at Booking” is a consistent theme for the services and activities provided to inmates at the Rountree facility.<sup>[2]</sup> The Division of Reentry is responsible for providing the oversight of In-jail programs that are offered across all facilities, but the Rountree facility has the most programs, classes and activities.<sup>[85]</sup> At the Blaine Street facility, women’s programs and classes are also offered. These provide a system to steer the incarcerated towards reentry with new job skills development, education, work release, and transitional programs.<sup>[92]</sup>

Currently there are about twenty sentenced inmates housed at the Main Jail. At the time of the Grand Jury tour there were fifteen inmates who were eligible to go to Rountree. However, there was not enough room to house them with the currently closed unit.

While serving sentences, inmates are offered classes on self improvement, and to learn work skills and learn about restorative justice. These classes teach them how to give back to the community. They may earn a high school diploma or an equivalency while serving their sentence.<sup>[93]</sup>

Before Covid there were over sixty (60) programs, services and activities. Since Covid, it has been challenging to find program directors and teachers. More classes are slowly

being offered but they are insufficient to meet all the needs that were being met before Covid.<sup>[92] [93]</sup>

There are currently about forty (40) programs, services, and activities offered by the Division of Reentry.<sup>[86]</sup>

- Reentry Skills Programs (22): Cognitive behavioral based curricula, high school diploma and/or equivalency, life skills, mental health, parenting, substance use disorder, employment development, and a Career Technical Education Program
- Self-Help Services (13): Benefits enrollment, health services, legal services, 12-step programming, library services, reentry planning, spiritual support services, veteran's services and voting.
- Personal Development Activities (5): Visual Arts, writing, recreation, mindfulness and yoga.

An increased focus on rehabilitation, education, and restorative justice efforts to prepare for reentry show positive trends according to California Department of Corrections and Rehabilitation. These program investments improve public safety and result in a reduction in recidivism for reentering inmates.<sup>[71]</sup>

Many programs are also offered outside jail in the community through Cabrillo College and by the Adult Education Program.<sup>[94]</sup> After their release, these programs help inmates continue their education. This includes finishing their high school education.<sup>[92]</sup>

### **CalAIM Medi-Cal Inmate and Reentry Services**

The Grand Jury investigation also revealed that the relatively new CalAIM Medi-Cal program may provide some much needed post release help.<sup>[73] [95]</sup> While CalAIM is much more than just serving reentry inmates, it basically is a revamping of the California Medi-Cal policies.

When Medicaid was created in 1965, federal law barred the use of federal Medicaid funds for services to people who are incarcerated. Partly for this reason, when people leave prison and jail, they often experience gaps in care in accessing healthcare in their community. Because of Medicaid expansion through the Affordable Care Act, most people leaving California jails and prisons are eligible for Medi-Cal. In early 2023, California became the first state in the nation to receive federal approval to use Medi-Cal to cover a targeted set of services for people leaving jail or prison in the 90 days before their release. Correctional systems can start implementing this innovative approach as early as October 1, 2024.<sup>[96]</sup>

Among other services, CalAIM seeks to help former inmates returning to their communities from jail or prison. About 35,000 people are released yearly from California's state prisons. In addition, most of the 350,000 people booked into county jails each year are released within a few weeks. While most people in this "reentry" population are eligible for Medi-Cal coverage, they often struggle to get needed healthcare services. This is a health equity issue because Californians of color, in particular, are incarcerated more frequently than whites and have fewer financial resources.<sup>[97]</sup>

Pre-release services are an essential part of CalAIM's justice-involved initiative, which is designed to better meet the health needs of people leaving incarceration.<sup>[95]</sup> Other services through CalAIM include:

- Enrolling eligible people in Medi-Cal before their release from prison, jail, or youth correctional facilities.
- Ensuring connection to both physical and behavioral health services after release and offering a new benefit, Enhanced Care Management (ECM), to the reentry population starting in January 2024. ECM allows access to a Lead Care Manager who provides **comprehensive care management** and coordinates their health and health-related care and services including connections to the quality care the member may need, no matter where they seek care - at the doctor, the dentist, with a social worker, or at a community center.
- Increasing access to services known as Community Supports, including housing transition navigation, rent deposits, day habilitation, and others. Community Supports are services that help address members' health-related social needs, help them live healthier lives, and avoid higher, costlier levels of care. These include support to **secure and maintain housing**, access to **medically tailored meals** to support short term recovery and a variety of other community-based services.

The California Health Care Foundation (CHCF) supports projects that expand proven models of care and research into policy approaches to improve the coordination and delivery of care for people before and after they leave correctional settings and return to the community.<sup>[98]</sup>

Wellpath is in charge of medical screenings at the time of booking and they are currently enrolling all inmates in Medi-Cal who are not already insured. At discharge they will establish a 14-30 day supply of needed psychotropic medication to inmates prior to release and establish a virtual visit with a community provider for inmates with mental illness.<sup>[99]</sup>

### **Diversion from Jail**

The Grand Jury found there are many other programs provided by the Santa Cruz County Community Corrections Partnership.<sup>[100]</sup> This partnership is made up of County agencies working with the Sheriff's Office that establish effective alternatives to incarceration and recidivism reduction. See [Appendix D](#) for further discussion about this partnership and their three goals.

Additionally, the Santa Cruz County Sheriff is part of the Stepping Up Initiative – a national program for reducing over-incarceration of people with mental illness. Instead of arresting a mentally ill person for a petty crime and booking them in Jail, the initiative trains police to refer them to this program.<sup>[101]</sup>

### **Beyond Jail - Preparing for Release**

The Grand Jury found numerous County funded programs and services available for incarcerated persons to use once they are out of custody. See [Appendix C](#) for further discussion of these programs.



County post-release services are available to inmates through:

- The Sheriff’s Office Division of Reentry. The Division of Reentry has many programs that work with newly released inmates.<sup>[92]</sup> See [Appendix C](#).
- The Division of Reentry also partners with some Santa Cruz community services.<sup>[100]</sup> See [Appendix D](#).
- The Probation Department has many programs that work with newly-released inmates. See [Appendix D](#).
- The Public Defender Office’s Project R.I.S.E. (Reentry, Integration, Support and Education) supports clients as they transition from incarceration back into their community. See [Appendix D](#).

Many of the in-custody programs and classes may continue after release, as they are also offered in the community to support continuity of care after release.<sup>[94]</sup>

### **Post Release Community Programs**

The Grand Jury discovered there are an impressive number of post-release inmate programs operating in the community. The programs testify to the compassionate Santa Cruz community which cares about helping released inmates as they adjust back into society. These programs help released inmates steer away from their incarceration and become productive community members. For a sampling of programs see [Appendix D](#).

### **Conclusion**

As reflected in this report’s Findings and Recommendations, the Grand Jury is deeply concerned with the poor mental health treatment provided to our inmate population. This extends to the treatment of inmates living with or developing mental health challenges, through jail time and post release. This abiding concern is abundantly detailed in this report. The treatments described, such as solitary confinement, are inflicted on people that are still presumed innocent.

But not everything about our jail system is dark and foreboding. The Grand Jury investigation brought to light the many positive reentry programs available while a person is in custody. Then once released, many of these programs are available and continued in the community. It is a testament to our compassionate community that so many institutions exist to help people who have served their sentence and now need a helping hand in their return to society. Not only does it make us safer, it reduces the chances of reincarceration. The Grand Jury strongly urges the continued development of these programs in and out of custody.

The Grand Jury believes that better inmate mental health treatment and positive reentry programming, as suggested in this report, will enhance inmate wellness and create a better community for all of us.

## Findings and Recommendations

### **Group 1: State Standards (Title 15) Compliance Issues**

- F1.** The failure of Wellpath, the medical provider contracted by the Sheriff to provide data from required Health Service Audits, has adversely affected inmate health and resulted in poor health care and lack of pharmaceutical services for inmates.
- R1.** By the end of calendar year 2024, the Grand Jury recommends the Sheriff instruct Wellpath to begin the Health Service Audits. (F1)
- F2.** The failure of Wellpath to implement a comprehensive discharge plan causes inmates to be released without community connection to medical treatment and medication.
- R2.** By the end of calendar year 2024, the Grand Jury recommends the Sheriff instruct Wellpath to improve the medical discharge processes for better continuity of care. (F1, F2)
- F3.** The failure of the Sheriff's jail staff to properly address inmates' mental illness crises has caused mentally disabled inmates to be held in Safety Cells for excessively long periods.
- F4.** The improper use of Safety Cells by the Sheriff's jail staff to isolate inmates who are greatly in need of mental health care and/or have made suicidal statements causes a violation of required procedure.
- F5.** The use of Safety Cells for punishment has resulted in violations of Title 15 section 1055 and the Sheriff's Policy and Procedures Manual policy 516.2. This may expose the Sheriff's department to lawsuits.
- R3.** By the end of calendar year 2024, the Grand Jury recommends the Sheriff retrain staff about the proper use of Safety Cells according to Title 15 section 1055 and the Sheriff's policy and procedures manual. (F3, F4, F5)
- F6.** The practice of excluding mentally ill patients from 5150 hold and transfer until discharge results in a violation of both Title 15 and Sheriff's Policies and Procedures manual policy 516.2.
- R4.** By the end of calendar year 2024, the Grand Jury recommends the Sheriff retrain staff with the proper use of a 5150 hold and the transfer of inmates to a mental health facility according to Title 15 and the Sheriff's policy and procedures manual. (F6)

- F7.** The failure of Jail administrators to transfer inmates with suicidal ideation or in a mental health crisis to an out-of-county LPS facility adversely impacts inmate mental health care.
- R5.** By the end of the calendar year 2024, the Grand Jury recommends the Sheriff train staff on how to transfer suicidal inmates to an LPS facility for mental health care. (F7)
- F8.** The failure of the Crisis Intervention Team to issue a 5150 hold and transfer before an inmate is discharged adversely impacts inmate mental health care.
- R6.** By the end of calendar year 2024, the Grand Jury recommends the Sheriff direct the CIT team to not withhold a 5150 hold and make a transfer until release because this is not proper or best practice for inmates in need of mental health care. (F8)
- F9.** The practice of placement in Administrative Separation (solitary confinement) causes inmates to suffer mental health problems including, but not limited to, anxiety, insomnia, paranoia, aggression, and depression.
- F10.** The failure of Jail administrators to transfer Inmates who are suffering from mental health crises symptoms to an LPS Facility adversely impacts inmate mental health care.
- R7.** By the end of calendar year 2024, the Grand Jury recommends the Sheriff develop a plan to transfer all inmates in mental health crises to LPS facilities and budget the extra cost of transferring patients out of the county. (F9, F10)

### ***Group 2: Better Jail Conditions, Rehabilitation and Reentry Preparation***

- F11.** Opening the closed unit at Rountree and increasing the number of re-entry programs would result in better conditions for inmates and less stress for the correctional officers.
- R8.** By the end of calendar year 2024, the Grand Jury recommends the Sheriff reopen closed units and move all qualified inmates to Rountree Medium Security and the Minimum Security Rehabilitation and Reentry unit. (F11)
- F12.** Increasing the number of programs that focus on rehabilitation, education, and restorative justice to prepare for reentry would show positive improvement to public safety and a reduction in recidivism for reentering inmates.
- R9.** By the end of calendar year 2024, the Grand Jury recommends the Sheriff develop a comprehensive plan to increase the number of programs that steer inmates towards reentry into the community with new job skills development, education, work release and transitional programs. (F12)

- F13.** Jail programs like “Stepping Up” steers the mentally ill to community-based mental health care, reducing the number of mentally ill inmates in jail.
- R10.** By the end of fiscal year 2024-2025, the Grand Jury recommends the Sheriff develop a plan to implement more Jail diversion programs (like Stepping Up) that steer the Mentally Ill away from jail and to the help they need. (F13)
- F14.** The current practice of reviewing inmate classification monthly is too long of an interval and may endanger inmates suffering from mentally illness.
- R11.** By the end of calendar year 2024, the Grand Jury recommends the Sheriff change the Reclassification examination of mentally ill inmates from a monthly basis to a weekly basis to prevent misclassified inmates from suffering needlessly. (F14)
- F15.** The failure of Wellpath to recruit and retain adequate staff adversely impacts the overall effectiveness of the mental health services provided to inmates.
- R12.** By the end of the calendar year 2024, the Grand Jury recommends the Sheriff conduct an analysis of the effectiveness of Wellpath in regards to all mental health services of incarcerated persons. (F15)
- R13.** By the end of calendar year 2024, the Grand Jury recommends the Wellpath be directed to provide round-the-clock medical and mental health care availability to the Jails. (F15)

### ***Group 3: Access to Inmate Interviews and Rehabilitation Programs***

- F16.** The Santa Cruz County Civil Grand Jury was not permitted to interview inmates serving sentences at the Rountree Rehabilitation and Reentry Facility as required by the Bureau of State Community and Corrections. Speaking to some inmates about their experiences and opinions of the programs would have greatly enhanced the Jail investigation and report.
- R14.** The Grand Jury recommends the Sheriff begin to allow the Santa Cruz County Civil Grand Jury interviews of inmates per Penal Code 916 including observing inmate classes and programs within 90 days. (F16)

### **Commendations**

- C1.** The Santa Cruz County Civil Grand Jury believes CalAim is an excellent program expanding health coverage to the incarcerated in Jail because it will enroll inmates in Medi-Cal for their medical care and support them as they reintegrate back into the community.

- C2.** The Santa Cruz County Civil Grand Jury found numerous County funded programs and services in and outside of the Jail that help inmates to prepare for reentry into the community and reduce recidivism rates.
- C3.** The Santa Cruz County Civil Grand Jury found the Jail staff are truly concerned about the well-being of inmates and this concern was well expressed with their motto “Reentry begins at Booking.”

### Required Responses

<i>Respondent</i>	<i>Findings</i>	<i>Recommendations</i>	<i>Respond Within/ Respond By</i>
Santa Cruz County Sheriff	F1–F16	R1–R14	60 Days August 12, 2024

### Invited Responses

<i>Respondent</i>	<i>Findings</i>	<i>Recommendations</i>	<i>Respond Within/ Respond By</i>
Chief Deputy, Santa Cruz County Sheriff’s Office	F1–F16	R1–R14	60 Days August 12, 2024y
Rountree Commander, Santa Cruz County Sheriff’s Office	F1–F16	R1–R14	60 Days August 12, 2024y

### Definitions

**5150 Hold:** 5150 is the number of the section of the Welfare and Institutions Code, which allows an adult who is experiencing a mental health crisis to be involuntarily detained for a 72-hour psychiatric hospitalization when evaluated to be a danger to others, or to himself or herself, or gravely disabled.

**Administering Medication:** Managing legally obtained drugs, means the act by which a single dose of medication is given to a patient. The single dose of medication may be taken either from stock (undispensed) or dispensed supplies.

**Administrative Separation:** The physical separation of different types of incarcerated persons from each other as specified in Penal Code Sections 4001 and 4002 and Section 1053 of these regulations. Administrative separation is accomplished to provide that level of control and security necessary for good management and the protection of staff and incarcerated persons.

**CIT:** The Santa Cruz County Jail Crisis Intervention Team evaluates inmates who are in a crisis and decides if the inmate needs to be transferred to a mental health facility.

**Clinical Evaluation:** An assessment of a person's physical and/or mental health condition conducted by licensed health personnel operating within recognized scope of practice specific to their profession and authorized by a supervising physician or psychiatrist.

**Disciplinary Separation:** The status assigned a person as the result of violating facility rules and which consists of confinement in a cell or housing unit.

**Dispensing:** Managing legally obtained drugs, means the interpretation of the prescription order, the preparation, repackaging, and labeling of the drug based upon a prescription from a physician, dentist, or other prescriber authorized by law.

**Healthcare:** Medical, mental health, and dental services.

**Health Service Audits:** A written plan prepared by the Jail Medical authority annually with statistical summaries of healthcare and pharmaceutical services provided. The responsible physician assesses the quality and adequacy of these services with a means for the correction of identified deficiencies of the healthcare and pharmaceutical services delivered.

**In-Custody Programs, Services, and Activities:** The Corrections Bureau provides a system to steer the incarcerated towards reentry with new job skills development, education, work release, and transitional programs.

**Lanterman-Petris-Short Act (LPS):** named after the authors of the Act, provides the statutory framework for the commitment of individuals with mental health disorders and provides protection for the legal rights of such individuals.<sup>[20]</sup> Mental Health best practices and the state regulations of Title 15 require that an inmate in a psychiatric crisis be transferred out of jail to an LPS psychiatric facility.

**Mental Health Crisis:** Or Psychiatric Crisis. A mental health crisis is when someone's behaviors prevent them from functioning or indicate they might harm themselves or others.

**Non-sentenced:** An incarcerated person with any pending local charges or one who is being held solely for charges pending in another jurisdiction.

**Pretrial-Inmates:** See Non-sentenced Inmates.

**Psychiatric Crisis:** See Mental Health Crisis.

**Psychotropic Medication:** Any medication prescribed for the treatment of symptoms of psychoses and other mental and emotional disorders.

**Safety Cell:** The safety cell described in Title 24, Part 2, Section 1231.2.5, shall be used to hold only those people who display behavior which results in the destruction of property or reveals an intent to cause physical harm to self or others.

**Safety Checks:** Direct, visual observation performed at random intervals within timeframes prescribed in these regulations to provide for the health and welfare of incarcerated people.

**Sentenced:** A person that has been sentenced/committed to custody in a detention facility.

**Severely Mentally Ill (SMI):** A mental, behavioral, or emotional disorder resulting in serious functional impairment, which substantially interferes with or limits one or more major life activities. The burden of mental illnesses is particularly concentrated among those who experience disability due to SMI.

**Telehealth:** A collection of means or methods for enhancing health care using telecommunications technologies. Telehealth encompasses a broad variety of technologies to deliver virtual health services.

**Title 15:** The minimum standards governing the incarceration of individuals incarcerated in California.

---

## Sources

### References

1. California State Legislature. April 20, 2024. "California Legislative Information Code Section PEN 919." *leginfo.legislature.ca.gov/*. Accessed April 20, 2024. [https://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?sectionNum=919&lawCode=PEN](https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=919&lawCode=PEN)
2. Confidential Grand Jury interview.
3. Criminal Justice Council Santa Cruz County. December 17, 2023. *Criminal Justice Council Report 2023 SANTA CRUZ COUNTY COURT AND JAIL SYSTEM REVIEW AND ANALYSIS: ADDRESSING BEHAVIORAL HEALTH CASES*. Accessed March 4, 2024. <https://www.santacruzajc.org/resource/CJC-2023-Annual-Report.pdf>
4. Sheriff Jim Hart. January 1, 2023. *Santa Cruz County Sheriffs 2022 Annual Report*. Accessed October 10, 2023. [https://www.scsheriff.com/Portals/1/County/sheriff/pdf/2022\\_Annual\\_Report\\_Online.pdf](https://www.scsheriff.com/Portals/1/County/sheriff/pdf/2022_Annual_Report_Online.pdf)
5. Confidential Grand Jury interview.
6. Santa Cruz County Probation Department. May 8, 2024. "Juvenile Hall Division at a Glance." *Santa Cruz County Probation Department*. Accessed May 8, 2024. <https://www.santacruzcountycalifornia.gov/Portals/0/County/prb/pdfs/Annual%20Report%20s/Juvenile%20Hall%20Division%20at%20a%20Glance%202023%20.pdf>
7. Confidential Grand Jury document.
8. Santa Cruz County Sheriff's Office. January 1, 2024. "Work Release/Custody Alternative Program." *scsheriff.com*. Accessed March 3, 2024. <https://www.scsheriff.com/Home/InmateVisitingInformation/WorkRelease.aspx>

9. Joshua Pastor. January 1, 2023. "Santa Cruz County Sheriff's January 2023 Monthly Statistics." *scsheriff.com*. Accessed February 26, 2024. [https://scsheriff.com/Portals/1/County/sheriff/pdf/SCSO%20Bureau%20Stats\\_JAN2023.pdf](https://scsheriff.com/Portals/1/County/sheriff/pdf/SCSO%20Bureau%20Stats_JAN2023.pdf)
10. Joshua Pastor. January 1, 2023. "Santa Cruz County Sheriff's January 2023 Monthly Statistics." *scsheriff.com*. Accessed February 26, 2024. [https://scsheriff.com/Portals/1/County/sheriff/pdf/SCSO%20Bureau%20Stats\\_JAN2023.pdf](https://scsheriff.com/Portals/1/County/sheriff/pdf/SCSO%20Bureau%20Stats_JAN2023.pdf)
11. Confidential Grand Jury interview.
12. Joshua Pastor. January 1, 2023. *Santa Cruz County Sheriff's January 2023 Monthly Statistics*. Accessed October 10, 2023. [https://scsheriff.com/Portals/1/County/sheriff/pdf/SCSO%20Bureau%20Stats\\_JAN2023.pdf](https://scsheriff.com/Portals/1/County/sheriff/pdf/SCSO%20Bureau%20Stats_JAN2023.pdf)
13. Criminal Justice Council Santa Cruz County. December 17, 2023. *Criminal Justice Council Report 2023 SANTA CRUZ COUNTY COURT AND JAIL SYSTEM REVIEW AND ANALYSIS: ADDRESSING BEHAVIORAL HEALTH CASES*. Accessed March 4, 2024. <https://www.santacruzjc.org/resource/CJC-2023-Annual-Report.pdf>
14. Maya Becker, Bomi Choe and Caly Plowman. February 16, 2024. "A Look Inside Santa Cruz County Main Jail." *City on the Hill Press*. Accessed February 18, 2024. <https://cityonahillpress.com/2024/02/16/a-look-inside-santa-cruz-county-main-jail/>
15. Confidential Grand Jury document.
16. Jesse Kathan. September 23, 2023. "Santa Cruz County leaders explore potential new jail." *Santa Cruz Local*. Accessed October 10, 2023. <https://santacruzlocal.org/2023/09/15/santa-cruz-county-leaders-explore-potential-new-jail/>
17. Confidential Grand Jury document.
18. California Board of State and Community Corrections. April 15, 2024. "2021 BSSC Jail Inspection Handbook for Grand Jurors."
19. Confidential Grand Jury document.
20. The Superior Court of California - County of Santa Clara. May 8, 2024. "LPS (MENTAL HEALTH) CONSERVATORSHIP." *scscourt.org*. Accessed May 8, 2024. [https://www.scscourt.org/self\\_help/probate/conservatorship/conservatorship\\_ips.shtml#:~:text=An%20LPS%20conservatorship%20gives%20legal, take%20care%20of%20him%2F%20herself.](https://www.scscourt.org/self_help/probate/conservatorship/conservatorship_ips.shtml#:~:text=An%20LPS%20conservatorship%20gives%20legal, take%20care%20of%20him%2F%20herself.)
21. California Department of Health Care Services (DHCS). February 10, 2024. "LPS Designated Facilities." *dhcs.ca.gov*. Accessed February 2, 2024. <https://www.dhcs.ca.gov/provgovpart/Pages/County-LPS-Facilities.aspx>



22. California Department of Health Care Services (DHCS). February 10, 2024. "LPS Designated Facilities." *dhcs.ca.gov*. Accessed February 2, 2024.  
<https://www.dhcs.ca.gov/provgovpart/Pages/County-LPS-Facilities.aspx>
23. Criminal Justice Council Santa Cruz County. December 17, 2023. *Criminal Justice Council Report 2023 SANTA CRUZ COUNTY COURT AND JAIL SYSTEM REVIEW AND ANALYSIS: ADDRESSING BEHAVIORAL HEALTH CASES*. Accessed March 4, 2024.  
<https://www.santacruzsjc.org/resource/CJC-2023-Annual-Report.pdf>
24. Confidential Grand Jury interview.
25. Confidential Grand Jury interview.
26. COUNTY OF SANTA CRUZ General Services Department Purchasing Division. February 13, 2024. *County of Santa Cruz General Services Department Purchasing Division "Request for proposal to renew contract with Wellpath ADDENDUM #2 Request for Proposal (RFP) 23P3-013 FOR Corrections Health Services*. Accessed March 31, 2024.  
<https://www.santacruzcountyca.gov/Portals/0/County/GSD/Purchasing/Solicitations/23P3-013%20Addendum%202.pdf?ver=7xQlbduO95Thy5CErruQ%3D%3D>
27. Criminal Justice Council Santa Cruz County. December 17, 2023. *Criminal Justice Council Report 2023 SANTA CRUZ COUNTY COURT AND JAIL SYSTEM REVIEW AND ANALYSIS: ADDRESSING BEHAVIORAL HEALTH CASES*. Accessed March 4, 2024.  
<https://www.santacruzsjc.org/resource/CJC-2023-Annual-Report.pdf>
28. Criminal Justice Council Santa Cruz County. December 17, 2023. *Criminal Justice Council Report 2023 SANTA CRUZ COUNTY COURT AND JAIL SYSTEM REVIEW AND ANALYSIS: ADDRESSING BEHAVIORAL HEALTH CASES*. Accessed March 4, 2024.  
<https://www.santacruzsjc.org/resource/CJC-2023-Annual-Report.pdf>
29. Alexandra Gates, Samantha Artiga, and Robin Rudowitz. February 17, 2024. "Health Coverage and Care for the Adult Criminal Justice-Involved Population." *The Henry J. Kaiser Family Foundation kff.org*. Accessed February 18, 2024.  
<https://www.kff.org/uninsured/issue-brief/health-coverage-and-care-for-the-adult-criminal-justice-involved-population/>
30. State of California Board of State and Community Corrections. January 1, 2023. *Title 15 Minimum Standards For Local Detention Facilities Title 15-Crime Prevention and Corrections Division I, Chapter 1, Subchapter 4*. Accessed September 2, 2023.  
<https://www.bscc.ca.gov/wp-content/uploads/Adult-Titles-15-Effect-4-1-17.pdf>
31. Confidential Grand Jury interview.

32. Criminal Justice Council Santa Cruz County. December 17, 2023. *Criminal Justice Council Report 2023 SANTA CRUZ COUNTY COURT AND JAIL SYSTEM REVIEW AND ANALYSIS: ADDRESSING BEHAVIORAL HEALTH CASES*. Accessed March 4, 2024.  
<https://www.santacruzsjc.org/resource/CJC-2023-Annual-Report.pdf>
33. Maya Becker, Bomi Choe and Caly Plowman Maya Becker, Bomi Choe and Caly Plowman. February 16, 2024. "A Look Inside Santa Cruz County Main Jail." *City on the Hill Press*. Accessed February 18, 2024.  
<https://cityonhillpress.com/2024/02/16/a-look-inside-santa-cruz-county-main-jail/>
34. COUNTY OF SANTA CRUZ General Services Department Purchasing Division. February 13, 2024. *County of Santa Cruz General Services Department Purchasing Division "Request for proposal to renew contract with Wellpath ADDENDUM #2 Request for Proposal (RFP) 23P3-013 FOR Corrections Health Services*. Accessed March 31, 2024.  
<https://www.santacruzcountyca.gov/Portals/0/County/GSD/Purchasing/Solicitations/23P3-013%20Addendum%202.pdf?ver=7xQlbdueO95Thy5CErrhuQ%3D%3D>
35. Maya Becker, Bomi Choe and Caly Plowman Maya Becker, Bomi Choe and Caly Plowman. February 16, 2024. "A Look Inside Santa Cruz County Main Jail." *City on the Hill Press*. Accessed February 18, 2024.  
<https://cityonhillpress.com/2024/02/16/a-look-inside-santa-cruz-county-main-jail/>
36. Santa Cruz County Behavioral Health Services. December 6, 2017. "Policies and Procedures manual." *santacruzhealth.org*. Accessed September 22, 2024.  
<https://www.santacruzhealth.org/Portals/7/Pdfs/BH/Policies/2206.pdf?ver=20210311>
37. Confidential Grand Jury document.
38. Confidential Grand Jury document.
39. Confidential Grand Jury document.
40. Confidential Grand Jury document.
41. Santa Cruz County Sheriff's Office. March 19, 2018. "Santa Cruz County Sheriff's Office Correction's Policy Manual." *scsheriff.com*. Accessed February 2, 2024.  
<https://scsheriff.com/Portals/1/County/sheriff/CorrectionsPolicyManual.pdf>
42. Santa Cruz County Sheriff's Office. March 19, 2018. "Santa Cruz County Sheriff's Office Correction's Policy Manual." *scsheriff.com*. Accessed February 2, 2024.  
<https://scsheriff.com/Portals/1/County/sheriff/CorrectionsPolicyManual.pdf>
43. Confidential Grand Jury interview.
44. Confidential Grand Jury interview.
45. Confidential Grand Jury interview.
46. Confidential Grand Jury interview.

47. Confidential Grand Jury interview.
48. Confidential Grand Jury interview.
49. Joshua Pastor. January 1, 2023. "Santa Cruz County Sheriff's January 2023 Monthly Statistics." *scsheriff.com*. Accessed February 26, 2024.  
[https://scsheriff.com/Portals/1/County/sheriff/pdf/SCSO%20Bureau%20Stats\\_JAN2023.pdf](https://scsheriff.com/Portals/1/County/sheriff/pdf/SCSO%20Bureau%20Stats_JAN2023.pdf)
50. Joshua Pastor. January 1, 2023. *Santa Cruz County Sheriff's January 2023 Monthly Statistics*. Accessed February 26, 2024.  
[https://scsheriff.com/Portals/1/County/sheriff/pdf/SCSO%20Bureau%20Stats\\_JAN2023.pdf](https://scsheriff.com/Portals/1/County/sheriff/pdf/SCSO%20Bureau%20Stats_JAN2023.pdf)
51. Calif Health Care Foundation. April 22, 2024. "CalAIM in Focus Reentry." *Calif Health Care Foundation*. Accessed April 22, 2024.  
<https://www.chcf.org/resource/calaim-in-focus/reentry/>
52. Confidential Grand Jury interview.
53. Confidential Grand Jury document.
54. Confidential Grand Jury document.
55. Confidential Grand Jury document.
56. Confidential Grand Jury interview.
57. Confidential Grand Jury interview.
58. Alexandra Gates, Samantha Artiga, and Robin Rudowitz. September 5, 2014. "Health Coverage and Care for the adult criminal justice-involved population." *The Henry J. Kaiser Family Foundation kff.org*. Accessed February 18, 2024.  
<https://www.kff.org/uninsured/issue-brief/health-coverage-and-care-for-the-adult-criminal-justice-involved-population/>
59. Maya Becker, Bomi Choe and Caly Plowman Maya Becker, Bomi Choe and Caly Plowman. February 16, 2024. "A Look Inside Santa Cruz County Main Jail." *City on the Hill Press*. Accessed February 18, 2024.  
<https://cityonahillpress.com/2024/02/16/a-look-inside-santa-cruz-county-main-jail/>
60. Maya Becker, Bomi Choe and Caly Plowman Maya Becker, Bomi Choe and Caly Plowman. February 16, 2024. "A Look Inside Santa Cruz County Main Jail." *City on the Hill Press*. Accessed February 18, 2024.  
<https://cityonahillpress.com/2024/02/16/a-look-inside-santa-cruz-county-main-jail/>
61. State of California Board of State and Community Corrections. January 1, 2023. "Title 15 Minimum Standards For Local Detention Facilities Title 15-Crime Prevention and Corrections Division I, Chapter 1, Subchapter 4." *BSCC.ca.gov*. Accessed September 9, 2024.  
<https://www.bscc.ca.gov/wp-content/uploads/Adult-T15-Effective-1.1.2023-Full-Text.pdf>

62. Confidential Grand Jury interview.
63. Nancy Rodriguez, Ph.D. November 1, 2016. "Restrictive Housing in the U.S. Issues, Challenges, and Future Directions." *OJP.gov*. Accessed March 4, 2024. <https://www.ojp.gov/pdffiles1/nij/250315.pdf>
64. Confidential Grand Jury interview.
65. Confidential Grand Jury interview.
66. Ryan K. McBain, Jonathan H. Cantor, Nicole K. Eberhart, Shreya S. Huilgol, and Ingrid Estrada-Darley. August 31, 2022. "Adult Psychiatric Bed Capacity, Need, and Shortage Estimates in California—2021." *Rand Health Quarterly*. Accessed March 28, 2024. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC9519097/#:~:text=We%20estimated%20that%20California%20has,%E2%80%94excluding%20state%20hospital%20beds.>
67. Confidential Grand Jury interview.
68. Criminal Justice Council Santa Cruz County. December 17, 2023. *Criminal Justice Council Report 2023 SANTA CRUZ COUNTY COURT AND JAIL SYSTEM REVIEW AND ANALYSIS: ADDRESSING BEHAVIORAL HEALTH CASES*. Accessed March 4, 2024. <https://www.santacruzsjc.org/resource/CJC-2023-Annual-Report.pdf>
69. Confidential Grand Jury interview.
70. Ernstmeyer K, Christman E. April 2, 2024. "Nursing: Mental Health and Community Concepts, Chapter 6 Psychotropic Medications." *NIH National Library of Medicine National Center for Biotechnology Information*. Accessed April 2, 2024. <https://www.ncbi.nlm.nih.gov/books/NBK590034/>
71. California Department of Corrections and Rehabilitation. April 14, 2024. "Persons Released from Prison in Fiscal Years 2016-2017 and 2017-2018." *California Department of Corrections and Rehabilitation*. Accessed March 12, 2024. <https://www.cdcr.ca.gov/news/2023/04/14/cdcr-issues-recidivism-reports-for-persons-released-from-prison-in-fiscal-years-2016-2017-and-2017-2018/>
72. Confidential Grand Jury interview.
73. Dr Gail Newel. June 23, 2023. *Final SC Detention Adult Facilities for Sheriff Hart 2023*. Accessed September 27, 2023. [https://drive.google.com/file/d/1Yztix7PMVaYRmwbgVrzAq7eaohmz9jvt/view?usp=drive\\_link](https://drive.google.com/file/d/1Yztix7PMVaYRmwbgVrzAq7eaohmz9jvt/view?usp=drive_link)
74. Confidential Grand Jury interview.
75. Confidential Grand Jury interview.
76. Confidential Grand Jury interview.

77. Confidential Grand Jury interview.
78. Confidential Grand Jury interview.
79. Confidential Grand Jury interview.
80. Confidential Grand Jury interview.
81. Confidential Grand Jury interview.
82. Sheriff Jim Hart. January 1, 2023. *Santa Cruz County Sheriffs 2022 Annual Report*. Accessed October 10, 2023.  
[https://www.scsheriff.com/Portals/1/County/sheriff/pdf/2022\\_Annual\\_Report\\_Online.pdf](https://www.scsheriff.com/Portals/1/County/sheriff/pdf/2022_Annual_Report_Online.pdf)
83. Confidential Grand Jury interview.
84. Confidential Grand Jury interview.
85. Confidential Grand Jury document.
86. Confidential Grand Jury document.
87. Confidential Grand Jury interview.
88. Confidential Grand Jury interview.
89. NAMI Santa Cruz County. April 15, 2021. “Community Resources: Preparing Inmates (And Their Families) for the Outside.” *National Alliance for Mental Illness*. Accessed March 5, 2024.  
[https://www.namisc.org/uploads/9/0/2/6/9026727/community\\_resources.pdf](https://www.namisc.org/uploads/9/0/2/6/9026727/community_resources.pdf)
90. Confidential Grand Jury interview.
91. Santa Cruz County Sheriff's Office. January 16, 2024. *Santa Cruz County Sheriff's Office Correction's Policy Manual*. Accessed April 2, 2024.  
<https://scsheriff.com/Portals/1/County/sheriff/CorrectionsPolicyManual.pdf>
92. Confidential Grand Jury document.
93. Confidential Grand Jury document.
94. Confidential Grand Jury document.
95. California Department of Health Care Services (DHCS).. February 10, 2024. “Justice-Involved Initiative-Medi-Cal Transformation.” *dhcs.ca.gov*. Accessed February 10, 2024.  
<https://www.dhcs.ca.gov/CalAIM/Justice-Involved-Initiative/Pages/home.aspx>
96. Jolie Onodera. April 22, 2024. “DHCS Announces Delayed Implementation Date for CalAIM Justice-Involved Initiative.” *counties.org*. Accessed April 22, 2024.  
<https://www.counties.org/csac-bulletin-article/dhcs-announces-delayed-implementation-date-calaim-justice-involved-initiative#:~:text=Onodera%20Danielle%20Bradley-,October%2026%2C%202023,%2C%20to%20October%201%2C%202024.>

97. Calif Health Care Foundation. April 22, 2024. "CalAIM in Focus Reentry." *Calif Health Care Foundation*. Accessed April 22, 2024.  
<https://www.chcf.org/resource/calaim-in-focus/reentry/>
  98. Calif Health Care Foundation. April 22, 2024. "CalAIM in Focus Reentry." *Calif Health Care Foundation*. Accessed April 22, 2024.  
<https://www.chcf.org/resource/calaim-in-focus/reentry/>
  99. California Health Care Foundation (CHCF). July 24, 2023. "CalAim Explained: For people leaving Incarceration." *California Health Care Foundation (CHCF) report*. Accessed February 14, 2024.  
<https://www.chcf.org/publication/calaim-explained-caring-californians-leaving-incarceration/>
  100. October 30, 2024. "County of Santa Cruz Santa Cruz County Community Corrections Partnership MEETING MINUTES." *County website*. Accessed January 10, 2024.  
<https://www.santacruzcountyca.gov/Portals/0/County/prb/pdfs/CCP/10-30-2023%20CCP%20Regular%20Meetign%20Minutes%20Packet.pdf>
  101. Veronica Handunge, M.P.H.. November 22, 2022. "Decriminalizing Mental Illness and Promoting Mental Health Equity." *American Psychiatric Association*. Accessed February 18, 2024.  
<https://www.psychiatry.org/news-room/apa-blogs/decriminalizing-mental-illness#:~:text=In%20fact%2C%20incarceration%20can%20worsen,individuals%20to%20mental%20health%20care.>
- 

### **Site Visits**

Main Jail

Rountree

Juvenile Hall

Blain Street Women's Jail

## **Appendix A – Penal Code Governing the Grand Jury<sup>[1]</sup>**

PART 2. OF CRIMINAL PROCEDURE [681 - 1620] ( Part 2 enacted 1872. )

TITLE 4. GRAND JURY PROCEEDINGS [888 - 939.91] ( Title 4 repealed and added by Stats. 1959, Ch. 501. )

CHAPTER 3. Powers and Duties of Grand Jury [914 - 939.91] ( Chapter 3 added by Stats. 1959, Ch. 501. )

ARTICLE 1. General Provisions [914 - 924.6] (Article 1 added by Stats. 1959, Ch. 501)

SECTION 919.

- (a) The Grand Jury may inquire into the case of every person imprisoned in the jail of the county on a criminal charge and not indicted.
- (b) The Grand Jury shall inquire into the condition and management of the public prisons within the county.
- (c) The Grand Jury shall inquire into the willful or corrupt misconduct in office of public officers of every description within the county. Except as provided in Section 918, this subdivision does not apply to misconduct that involves a shooting or use of excessive force by a peace officer described in Section 830.1, subdivision (a) of Section 830.2, or Section 830.39, that led to the death of a person being detained or arrested by the peace officer pursuant to Section 836.

## Appendix B – Safety Cells Description

The Main Jail has three Safety Cells that are video monitored 24 hours a day with 15 (fifteen) minute visual checks by the correctional staff, not Wellpath staff. In 2023, there were an average of 36 (thirty-six) inmate/patients placed on suicide watch per month. They were attired in a safety suit/garment and provided safety blankets. Only 2 (two) per month of the 36 (thirty-six) were transferred to the Santa Cruz County Behavioral Health Center Crisis Stabilization Program, our county mental health facility.<sup>[34]</sup>

Safety Cells have no water or toilet, there is only a hole in the ground. The inmate/patient is in complete isolation. There is only a hole in the cell floor. As defined by the Sheriff's policy and procedures, "Safety Cells are limited to one inmate and shall be used to hold only those inmates who display behavior which results in the destruction of property or reveals intent to cause physical harm to self or others."<sup>[42]</sup>



## **Appendix C – Jail Programs and Services While Serving Sentences**

This is a sampling of classes and programs offered through the Corrections Division of Reentry at Rountree and Blaine Street Women’s Rehabilitation Facility:

- Anger management offered by Encompass Community Services
- Building trades pre-apprentice programs offered by the County Office of Education and Aramark
- Skills for Reentry offered by Friends Outside
- Computer literacy and media design offered by UCSC Everett Program
- Positive Parenting offered by First Five Santa Cruz County
- Healing trauma offered by Friends Outside
- Healthy relationships by Walnut Avenue Family & Women’s Center
- Self Improvement by Gemma House

In addition, programs and classes are offered through the Leaders and Community Alternatives Employment Services, the UCSC Everett Program, the Building and Trades Pre-Apprenticeship Program of the County Office of Education, and the Cabrillo College Rising Scholars Program.

## Appendix D – Out-of-Custody Post-Jail Reentry Community Programs

The Grand Jury focused on several post release services available to inmates through the Sheriff's Office Division of Reentry, some of which are noted here.<sup>[92]</sup>

- People and Stories offered by Santa Cruz Public Libraries
- Women's Recovery & Reentry Program offered by Friends Outside
- Return Project offered by Encompass Community Services
- Finding Your Best Self and A Woman's Addiction curriculum by Friends Outside
- Substance use Disorder by Encompass Community Services
- Stepping Up for steering the mentally ill toward the help they need rather than into the jail

The Division of Reentry also partners with Santa Cruz community services including but not limited to the following.<sup>[100]</sup>

### Monarch Community Services

Gender-specific reentry services for women, including case management, transportation, and housing support.

### Santa Cruz Barrios Unidos

Culturally based reentry peer mentoring, violence prevention, and case management.

### Sobriety Works

Peer navigation services, including recruiting, training and supervising peer navigators.

### Volunteer Center of Santa Cruz County

System navigation and case management, post-release community support, including benefits enrollment, service advocacy and access, and support for probation case plans.

### Santa Cruz County Community Corrections Partnership

The Grand Jury found many other programs, too many to list here, providing numerous programs and services by the Santa Cruz County Community Corrections Partnership.<sup>[100]</sup> This partnership is made up of County agencies including:

- District Attorney's Office
- Sheriff's Office
- Probation Department
- Public Defender
- Superior Court
- Police departments
- County Office of Education
- Health Services Agency
- Human Services Department
- Board of Supervisors

The partnership stated they have three goals:

1. Establish an array of effective alternatives to incarceration to address the impacts that the realigned population will have on the county jail in order to avert crowding and poor conditions of confinement without jeopardizing public safety outcomes.
2. Implement Evidence-Based Probation Supervision that properly assesses risk factors associated with recidivism and provides effective probation interviewing, case planning, and community supervision to ensure public safety and reduce recidivism.
3. Develop community partnerships for effective intervention services that adhere to the principles of evidence-based practices for maximum recidivism reduction that show the deep concern and compassion for incarcerated persons who have served their time and released back into our community.

## Appendix E – Key Title 15 Policies Used in this Report<sup>[30]</sup>

### Article 5. Classification and Segregation

#### **§ 1052. Mentally Disordered Inmates.**

The facility administrator, in cooperation with the responsible physician, shall develop written policies and procedures to identify and evaluate all mentally disordered inmates, and may include telehealth. If an evaluation from medical or mental health staff is not readily available, an inmate shall be considered mentally disordered for the purpose of this section if he or she appears to be a danger to himself/herself or others or if he/she appears gravely disabled. An evaluation from medical or mental health staff shall be secured within 24 hours of identification or at the next daily sick call, whichever is earliest. Segregation may be used if necessary to protect the safety of the inmate or others. Note: Authority cited: Section 6030, Penal Code. Reference: Section 6030, Penal Code.

#### **§ 1053. Administrative Segregation.**

Except in Type IV facilities, each facility administrator shall develop written policies and procedures which provide for the administrative segregation of inmates who are determined to be prone to: promote activity or behavior that is criminal in nature or disruptive to facility operations; demonstrate influence over other inmates, including influence to promote or direct action or behavior that is criminal in nature or disruptive to Adult Title 15 Minimum Standards Effective 4/2017 31 the safety and security of other inmates or facility staff, as well as to the safe operation of the facility; escape; assault, attempted assault, or participation in a conspiracy to assault or harm other inmates or facility staff; or likely to need protection from other inmates, if such administrative segregation is determined to be necessary in order to obtain the objective of protecting the welfare of inmates and staff. Administrative segregation shall consist of separate and secure housing but shall not involve any other deprivation of privileges than is necessary to obtain the objective of protecting the inmates and staff. Note: Authority cited: Section 6030, Penal Code. Reference: Section 6030, Penal Code.

#### **§ 1054. Administrative Removal-Type IV Facility.**

In Type IV facilities, the facility administrator shall develop written policies and procedures which provide for the administrative removal of an inmate for the safety and well being of the inmate, the staff, the program, the facility, and/or the general public. Such removal shall be subject to review by the facility administrator or designee on the next business day. Note: Authority cited: Section 6030, Penal Code. Reference: Section 6030, Penal Code.

#### **§ 1055. Use of Safety Cell.**

The safety cell described in Title 24, Part 2, Section 1231.2.5, shall be used to hold only those inmates who display behavior which results in the destruction of property or reveals an intent to cause physical harm to self or others. The facility administrator, in cooperation with the responsible physician, shall develop written policies and

procedures governing safety cell use and may delegate authority to place an inmate in a safety cell to a physician. In no case shall the safety cell be used for punishment or as a substitute for treatment. An inmate shall be placed in a safety cell only with the approval of the facility manager or designee, or responsible health care staff; continued retention shall be reviewed a minimum of every four hours. A medical assessment shall be completed within a maximum of 12 hours of placement in the safety cell or at the next daily sick call, whichever is earliest. The inmate shall be medically cleared for continued retention every 24 hours thereafter. The facility manager, designee or responsible health care staff shall obtain a mental health opinion/consultation with responsible health care staff on placement and retention, which shall be secured within 12 hours of placement. Direct visual observation shall be conducted at least twice every thirty minutes. Such observation shall be documented. Procedures shall be established to assure administration of necessary nutrition and fluids. Inmates shall be allowed to retain sufficient clothing, or be provided with a suitably designed “safety garment,” to provide for their personal privacy unless specific identifiable risks to the inmate's safety or to the security of the facility are documented. Note: Authority cited: Sections 6024 and 6030, Penal Code. Reference: Section 6030, Penal Code. Adult Title 15 Minimum Standards Effective 4/2017

## **Article 7. Discipline**

### **§ 1080. Rules and Disciplinary Actions.**

Wherever discipline is administered, each facility administrator shall establish written rules and disciplinary actions to guide the conduct of incarcerated persons. Such rules and disciplinary actions shall be stated simply and affirmatively and posted conspicuously in housing units and the booking area or issued to each person upon booking. For those individuals with limited literacy, who are unable to read English, and for persons with disabilities, provision shall be made for the jail staff to instruct them verbally or provide them with material in an understandable form regarding jail rules and disciplinary procedures and actions. Note: Authority cited: Sections 6024 and 6030, Penal Code. Reference: Section 6030, Penal Code. Adult Title 15 Minimum Standards Effective 1/1/2023 44

### **§ 1081. Plan for Discipline of Incarcerated Persons.**

Each facility administrator shall develop written policies and procedures for discipline of incarcerated persons. The plan shall include, but not be limited to, the following elements: (a) Temporary Loss of Privileges: For minor acts of non-conformance or minor violations of facility rules, staff may impose a temporary loss of privileges, such as access to television, telephones, commissary, or lockdown for less than 24 hours, provided there is written documentation and supervisory approval. (b) Disciplinary Actions: Major violations of facility rules or repetitive minor acts of non-conformance or repetitive minor violations of facility rules shall be reported in writing by the staff member observing the act and submitted to the disciplinary officer. The consequences of such violations may include, but are not limited to: 1. Loss of good time/work time. 2. Placement in disciplinary separation. 3. Loss of privileges mandated by regulations. A staff member with investigative and disciplinary authority shall be designated as a

disciplinary officer to impose such consequences. Staff shall not participate in disciplinary review if they are involved in the charges. Such charges pending against an incarcerated person shall be acted on with the following provisions and within specified timeframes: 1. A copy of the report, or a separate written notice of the violation(s), shall be provided to the incarcerated person. 2. Unless declined by the incarcerated person, a hearing shall be provided no sooner than 24 hours after the report has been submitted to the disciplinary officer and the incarcerated person has been informed of the charges in writing. The hearing may be postponed or continued for a reasonable time through a written waiver by the incarcerated person, or for good cause. 3. The incarcerated person shall be permitted to appear on their own behalf at the time of hearing and present witnesses and documentary evidence. The incarcerated person shall have access to staff or assistance when they have limited literacy, or the issues are complex. 4. A charge(s) shall be acted on no later than 72 hours after an incarcerated person has been informed of the charge(s) in writing. Adult Title 15 Minimum Standards Effective 1/1/2023 45 5. Subsequent to final disposition of disciplinary charges by the disciplinary officer, the charges and the action taken shall be reviewed by the facility manager or designee. 6. The incarcerated person shall be advised in a written statement by the fact-finders about the evidence relied on and the reasons for the disciplinary action. A copy of the record shall be kept pursuant to Penal Code Section 4019.5. 7. There shall be a policy of review and appeal to a supervisor on all disciplinary action. (c) Nothing in this section precludes a facility administrator from administratively separating any incarcerated person from the general population or program for reasons of personal, mental, or physical health, or under any circumstance in which the safety of the person, staff, program, or community is endangered, pending disciplinary action or a review as required by Section 1053 of these regulations. (d) Nothing in this section precludes the imposition of conditions or restrictions that reasonably relate to a legitimate, non-punitive administrative purpose. Note: Authority cited: Sections 6024 and 6030, Penal Code. Reference: Sections 4019.5 and 6030, Penal Code.

### **§ 1082. Forms of Discipline.**

The degree of actions taken by the disciplinary officer shall be directly related to the severity of the rule infraction and promotion of desired behavior through a progressive disciplinary process. Acceptable forms of discipline shall consist of, but not be limited to, the following: (a) Loss of privileges. (b) Extra work detail. (c) Short term lockdown for less than 24 hours. (d) Removal from work details. (e) Forfeiture of “good time” credits earned under Penal Code Section 4019. (f) Forfeiture of “work time” credits earned under Penal Code Section 4019. (g) Disciplinary separation. Note: Authority cited: Section 6030, Penal Code. Reference: Section 6030, Penal Code.

### **§ 1083. Limitations on Disciplinary Actions.**

The Penal Code and the State Constitution expressly prohibit all cruel and unusual punishment. Disciplinary actions shall not include corporal punishment, group punishment when feasible, or physical or psychological degradation. Additionally, there shall be the following limitations: Adult Title 15 Minimum Standards Effective 1/1/2023 46 (a) Disciplinary separation shall be considered an option of last resort and as a response

to the most serious and threatening behavior, for the shortest time possible, and with the least restrictive conditions possible. (1) If a person is on disciplinary separation status for 30 consecutive days there shall be a review by the facility manager before the disciplinary separation status is continued. This review shall include a consultation with health care staff. Such reviews shall continue at least every fifteen days thereafter until the disciplinary status has ended. This review shall be documented. (2) The disciplinary separation cells or cell shall have the minimum furnishings and space specified in Title 24, Part 2, 1231.2.6 and 2.7. Occupants shall be issued clothing and bedding as specified in Articles 13 and 14 of these regulations and shall not be deprived of them through any portion of the day except that those incarcerated persons who engage in the destruction of bedding or clothing may be deprived of such articles. The decision to deprive a person of such articles of clothing and bedding shall be reviewed by the facility manager or designee during each 24 hour period. (3) If after placement in separation, mental health or medical staff determine that an individual has serious mental illness or an intellectual disability, they shall be removed from disciplinary separation immediately upon this determination. (b) Penal Code Section 4019.5 expressly prohibits the delegation of authority to any incarcerated person or group of incarcerated people to exercise the right of punishment over any other incarcerated person or group of incarcerated people. (c) In no case shall a safety cell, as specified in Title 24, Part 2, 1231.2.5, or any restraint device be used for disciplinary purposes. (d) No incarcerated person may be deprived of the implements necessary to maintain an acceptable level of personal hygiene as specified in Section 1265 of these regulations. (e) Food shall not be withheld as a disciplinary measure. (f) Correspondence privileges shall not be withheld except in cases where the incarcerated person has violated correspondence regulations, in which case correspondence may be suspended for no longer than 72 hours, without the review and approval of the facility manager. (g) In no case shall access to courts and legal counsel be suspended as a disciplinary measure. Note: Authority cited: Sections 6024 and 6030, Penal Code. Reference: Section 6030, Penal Code.

## **Article 10. Minors in Court Holding Facilities**

### **§ 1163. Classification.**

The administrator of a court holding facility shall establish and implement a written plan designed to provide for the safety of staff and minors held at the facility. The plan shall include receiving and transmitting of information regarding minors who represent a risk or hazard to self or others while confined at the facility, and the separation of such minors to the extent possible within the limits of the court holding facility, and for the separation of minors from any adults confined there as required by Section 208 of the Welfare and Institutions Code. Note: Authority cited: Section 6030, Penal Code. Reference: Section 6030, Penal Code.

## **Article 11. Medical/Mental Health Services**

### **§ 1202. Health Service Audits.**

The health authority shall develop and implement a written plan for annual statistical summaries of health care and pharmaceutical services that are provided. The

responsible physician shall also establish a mechanism to assure that the quality and adequacy of these services are assessed annually. The plan shall include a means for the correction of identified deficiencies of the health care and pharmaceutical services delivered. Adult Title 15 Minimum Standards Effective 1/1/2023 58. Based on information from these audits, the health authority shall provide the facility administrator with an annual written report on health care and pharmaceutical services delivered. Note: Authority cited: Section 6030, Penal Code. Reference: Section 6030, Penal Code.

**§ 1209. Mental Health Services and Transfer to Treatment Facility.**

(a) The health authority, in cooperation with the mental health director and facility administrator, shall establish policies and procedures to provide mental health services. These services shall include but not be limited to: 1. Identification and referral of incarcerated persons with mental health needs; 2. Mental health treatment programs provided by qualified staff, including the use of telehealth; 3. Crisis intervention services; 4. Basic mental health services provided to incarcerated persons as clinically indicated; 5. Medication support services; 6. The provision of health services sufficiently coordinated such that care is appropriately integrated, medical and mental health needs are met, and the impact of any of these conditions on each other is adequately addressed. (b) Unless the county has elected to implement the provisions of Penal Code Section 1369.1, a mentally disordered incarcerated person who appears to be a danger to themselves or others, or to be gravely disabled, shall be transferred for further evaluation to a designated Lanterman Petris Short treatment facility designated by the county and approved by the State Department of Health Care Services for diagnosis and treatment of such apparent mental disorder pursuant to Penal Code section 4011.6 or 4011.8 unless the jail contains a designated Lanterman Petris Short treatment facility. Prior to the transfer, the person may be evaluated by licensed health personnel to determine if treatment can be initiated at the correctional facility. Licensed health personnel may Adult Title 15 Minimum Standards Effective 1/1/2023 63 perform an onsite assessment to determine if the person meets the criteria for admission to an inpatient facility, or if treatment can be initiated in the correctional facility. (c) If the county elects to implement the provisions of Penal Code Section 1369.1, the health authority, in cooperation with the facility administrator, shall establish policies and procedures for involuntary administration of medications. The procedures shall include, but not be limited to: 1. Designation of licensed personnel, including psychiatrist and nursing staff, authorized to order and administer involuntary medication; 2. Designation of an appropriate setting where the involuntary administration of medication will occur; 3. Designation of restraint procedures and devices that may be used to maintain the safety of the incarcerated person and facility staff; 4. Development of a written plan to monitor the incarcerated person's medical condition following the initial involuntary administration of a medication, until the person is cleared as a result of an evaluation by, or consultation with, a psychiatrist; 5. Development of a written plan to provide a minimum level of ongoing monitoring of the incarcerated person following return to facility housing. This monitoring may be performed by custody staff trained to recognize signs of possible medical problems and alert medical staff when indicated; and 6. Documentation of the administration of involuntary medication in the incarcerated



person's medical record. Note: Authority cited: Section 6030, Penal Code. Reference: Section 6030, Penal Code.

#### **§ 1214. Informed Consent.**

The health authority shall set forth in writing a plan for informed consent of incarcerated persons in a language understood by the incarcerated person. Except for emergency treatment, as defined in Business and Professions Code Section 2397 and Title 15, Section 1217, all examinations, treatments and procedures affected by informed consent standards in the community are likewise observed for care of incarcerated people. In the case of minors, or conservatees, the informed consent of parent, guardian or legal custodian applies where required by law. Any incarcerated person who has not been adjudicated to be incompetent may refuse non-emergency medical and mental health care. Absent informed consent in non-emergency situations, a court order is required before involuntary medical treatment can be administered to an incarcerated person. Note: Authority cited: Section 6030, Penal Code. Reference: Section 6030, Penal Code.

#### **§ 1217. Psychotropic Medications.**

The responsible physician, in cooperation with the facility administrator, shall develop written policies and procedures governing the use of psychotropic medications. An Adult Title 15 Minimum Standards Effective 1/1/2023 67 incarcerated person found by a physician to be a danger to themselves or others by reason of mental disorders may be involuntarily given psychotropic medication appropriate to the illness on an emergency basis. Psychotropic medication is any medication prescribed for the treatment of symptoms of psychoses and other mental and emotional disorders. An emergency is a situation in which action to impose treatment over the incarcerated person's objection is immediately necessary for the preservation of life or the prevention of serious bodily harm to the incarcerated person or others, and it is impracticable to first gain consent. It is not necessary for harm to take place prior to treatment. If psychotropic medication is administered during an emergency, such medication shall be only that which is required to treat the emergency condition. The medication shall be prescribed by a physician following a clinical evaluation. The responsible physician shall develop a protocol for the supervision and monitoring of incarcerated persons involuntarily receiving psychotropic medication. Psychotropic medication shall not be administered to an incarcerated person absent an emergency unless the person has given informed consent in accordance with Welfare and Institutions Code Section 5326.2, or has been found to lack the capacity to give informed consent consistent with the county's hearing procedures under the Lanterman-Petris-Short Act for handling capacity determinations and subsequent reviews. There shall be a policy which limits the length of time both voluntary and involuntary psychotropic medications may be administered and a plan of monitoring and reevaluating all incarcerated people receiving psychotropic medications, including a review of all emergency situations. The administration of psychotropic medication is not allowed for disciplinary reasons. Note: Authority cited: Sections 6024 and 6030, Penal Code. Reference: Section 6030, Penal Code.

[This page intentionally left blank.]



**SANTA CRUZ COUNTY**  
Civil Grand Jury

701 Ocean Street, Room 318-I  
Santa Cruz, CA 95060  
(831) 454-2099  
grandjury@scgrandjury.org

## **County Behavioral Health Services – A State of Mind**

### **Focus. Fund. Save.**

---

### **Summary**

The Grand Jury's investigation of the Behavioral Health Division (BHD) showed poor or non-existent metrics on BHD programs and services displayed on County web portals. Serious gaps in addressing South County health care needs were also found. This report highlights the above facts and provides the recommendations to address them.

Recommendations include:

- **Transparency Overhaul:** Improve reporting of program outcomes and costs to enable program evaluation and enhance public transparency.
- **Enhanced Case Management:** Increase emphasis on enhanced case management services which will reduce long term health care costs.
- **Local Care Focus:** Reduce costly out-of-county inpatient transfers by investing in local resources.
- **South County Investment:** Address socioeconomic disparities in South County to improve overall health outcomes.

The Grand Jury believes that these approaches will improve outcomes for residents through increased and better targeted mental health services. Improving behavioral health services will create a healthier and more vibrant South County.

## Table of Contents

<b>Summary</b>	<b>1</b>
<b>Table of Contents</b>	<b>2</b>
<b>Background</b>	<b>3</b>
<b>Scope and Methodology</b>	<b>4</b>
Performance Measurement	4
Programs	4
Patient Profiles	4
<b>Investigation</b>	<b>5</b>
Lack of Data Transparency and Program Effectiveness	5
Out-of-County Transfers	6
How Much Do These Transfers cost?	8
Prevention and Social Determinants of Health	8
Case Management Programs	10
<b>Conclusion</b>	<b>12</b>
<b>Findings</b>	<b>12</b>
Findings on Lack of Data Transparency	12
Findings on Out-of-County Transfers and 95076 Zip Code	12
Findings about Case Management	13
<b>Recommendations</b>	<b>13</b>
<b>Commendations</b>	<b>13</b>
<b>Required Responses</b>	<b>14</b>
<b>Invited Responses</b>	<b>14</b>
<b>Definitions</b>	<b>14</b>
<b>Sources</b>	<b>15</b>
References	15

---

## Background

The Grand Jury is charged with investigating the budget of one or more of the Santa Cruz County departments. The Grand Jury decided to investigate the budget of the Health Services Agency (HSA). Within that organization, the Behavioral Health Division which provides services to address mental health, substance use disorders as well as other public health programs, has the largest single budget. Therefore, HSA's Behavioral Health Division became the focus of the Grand Jury's investigation.

Santa Cruz County Behavioral Health Division struggles to meet the mental health needs of our community. It has neither the fiscal means nor staff resources to adequately do so.

The 2022-2023 Grand Jury report, *Diagnosing the Crisis in Behavioral Health*, stated: "Santa Cruz has more homeless people per capita than anywhere else in California." At the time of the 2022-2023 report publication:

*Some 2,300 of our residents were without housing. An estimated 37% of the Behavioral Health Services clients were homeless. About 67% of homeless residents were experiencing chronic substance abuse, and 43% of Behavioral Health Services substance use disorder clients were involved with the criminal justice system.*<sup>[1][2]</sup>

The Behavioral Health External Quality Review (EQR) revealed that Santa Cruz County has three times the number of behavioral health high-cost beneficiaries (HCB) when compared to the state average for calendar years 2018 through 2020. HCBs are identified as those with approved claims of more than \$30,000 in a year.<sup>[3]</sup>

In addition to this challenge, there are fiscal barriers to providing the various types of services and the volume of services our community needs. The fiscal year 2023-2024 budgeted expenses for BHD are 54.9% of the HSA total expense budget of \$259 million. To put this figure in perspective, only 22% of this same HSA budget is allocated for medical clinical services by County health clinics.<sup>[4]</sup> Even with the size of the BHD budget, the need outstrips fiscal resources.

According to the Grand Jury report from 2022-2023, *Diagnosing the Crisis in Mental Health*, the staff vacancy rate in the Behavioral Health Division was 30%.<sup>[5]</sup> The report stated that the hard-to-fill positions within BHD included psychiatrists, psychiatric nurses, licensed mental health practitioners, and other direct service practitioners—especially bilingual staff.<sup>[6][7]</sup> This year's interviewees indicated that challenges in filling vacancies continue to exist.

All of the above statistics point to a disturbing reality: Santa Cruz County's Behavioral Health Services, relative to other California counties, is charged with providing mental health services to a substantial, high-need population that the County does not have the resources to adequately address.

## Scope and Methodology

The objective of this investigation is to determine which of the many County behavioral health programs are the most effective. The approach is to examine treatment results and the costs associated with each program. Specific topics the Grand Jury investigated include:

### ***Performance Measurement***

- Identifying funding sources of the BHD programs.
- Identifying the number of patients being treated, programs serving these patients, and the volume of service provided.
- Evaluating data that can be used to determine the value of specific programs.
- Identifying the number of high-cost beneficiaries and the percentage of the HSA resources consumed treating these patients.
- Analyzing quantitative data of patients transferred out of the county for treatment and their associated costs.
- Ensuring that interested residents can find all the above information easily from County websites.

### ***Programs***

- Determining the number of programs in place that are “preventative” in nature and the percentage of the HSA budget being allocated to these programs.
- Analyzing the correlation of socioeconomic indicators on healthcare outcomes.

### ***Patient Profiles***

- Determining if high-cost beneficiaries are being tracked and provided case management services.

The sources of information gathered for this report include:

- Interviews with HSA staff as well as outside public health experts.
- Program data collected and reported by Santa Cruz County BHD.
- Program data collected and reported by other government entities, both state and federal.
- Budget data for Santa Cruz County and other government entities, including data posted on the California Health and Human Services (CalHHS) website.
- Review of relevant articles, published reports, newspaper articles, and documents found online regarding mental health.
- Attendance at monthly Mental Health Advisory Board meetings.

## Investigation

The Grand Jury conducted an in-depth investigation of mental health issues in our county. This investigation discusses in detail core issues that the Jury has identified as needing to be addressed in order to meet our community’s growing mental health needs. The Grand Jury believes that if the mental health program issues can be effectively addressed, then the social issues raised by this Grand Jury report and other Grand Jury reports can also be alleviated.

### ***Lack of Data Transparency and Program Effectiveness***

Currently, data as presented to the public does not help to allocate the agency’s resources to the most effective program and to populations with the highest need for mental health services. The following are specific areas where there is a lack of data transparency:

- **County of Santa Cruz Finance Data:** Santa Cruz County’s website has made tremendous strides in improving financial transparency through the OpenGov Website which allows the public to view County budgets.<sup>[8]</sup> However, it does not provide the functionality that would allow users to filter down to financial information by individual programs and therefore is not usable for that purpose by the general public.<sup>[9]</sup>

There are no instructions targeted to the layperson on how to use the website or interpret the financial data. As an example, it is hard to find the exact funding amount the County receives from the Mental Health Services Act, (MHSA) Prop 63.<sup>[10]</sup> It is not clear where the MHSA funding is embedded among the various State Funding sources the County receives.<sup>[11]</sup>

The 2017-2018 Grand Jury report *Data-Driven Budgeting – New Ways To Get Better Results* stated, “A budget document is more meaningful to the general public when it correlates spending priorities to the public value of services. The County’s comparative interactive budget tool, while publicly accessible, does not include performance measures or provide a broader performance data dashboard tool that County departments can leverage.” Budgeting based on performance data is known as “performance budgeting.”<sup>[12]</sup>

- **Diverse Sources:** Funding sources include Medi-Cal, California Mental Health Services Act funds, and County General Fund contributions. Budget and individual program analyses are challenging due to the mix of funding streams.<sup>[9]</sup>
- **Services Provided by External Providers:** Independent health providers such as hospitals and urgent care medical facilities provide services to patients also being served by the County. Data collected by these external providers is not necessarily available to the County BHD. Missing data can skew the calculation of performance metrics.<sup>[13]</sup>
- **High-Cost Beneficiaries Root Cause Analysis:** None of the officials interviewed could provide a satisfactory answer regarding why Santa Cruz

County ranks so high among California counties in the number of high-cost beneficiary patients. No data was available to the Grand Jury for high-cost beneficiaries by zip code.<sup>[14][15]</sup> The BHD does not have enough staff to do a root cause analysis.<sup>[6][7]</sup>

**County and State Reporting:** The HSA data collection required to comply with mandated county and state requirements does not measure the outcome. As an example, the data collected may be by the number of people served by a program. This does not include the number of rehospitalizations or improvements in industry-accepted scores like the Adult Needs and Strengths Assessment (ANSA).<sup>[16]</sup>

**Metrics Gap:** Public access to County contract provider program metrics is limited. Key programs like the Janus Withdrawal Program<sup>[17]</sup> and County Volunteer Center's services<sup>[18]</sup> lack publicly available performance measurements. This makes evaluation of contract-provided program services challenging.

### ***Out-of-County Transfers***

The Grand Jury was motivated to look into out-of-county (OOC) transfers based on interviewees indicating that this was an example of where costs could potentially be saved.<sup>[19]</sup> The Grand Jury was interested in knowing how many such transfers occur and the cost of such transfers.

Patients are transferred to OOC hospitals when Santa Cruz County is at capacity and has no beds for its patients or does not have available treatment services. Figure 1 below shows the number of times Santa Cruz County patients were transferred to OOC hospitals for inpatient, emergency, or ambulatory surgery treatment. This data from California Health and Human Services (CalHHS) shows the distribution of patient transfers sorted by zip codes over the past three years.

Figure 1 below shows that the zip code of 95076 had the highest number of patient transfers outside the county for the previous 3 years. This indicates that almost 40% of all the transfers occur from one zip code - 95076. For context, Figure 2 below shows the zip codes within Santa Cruz County.



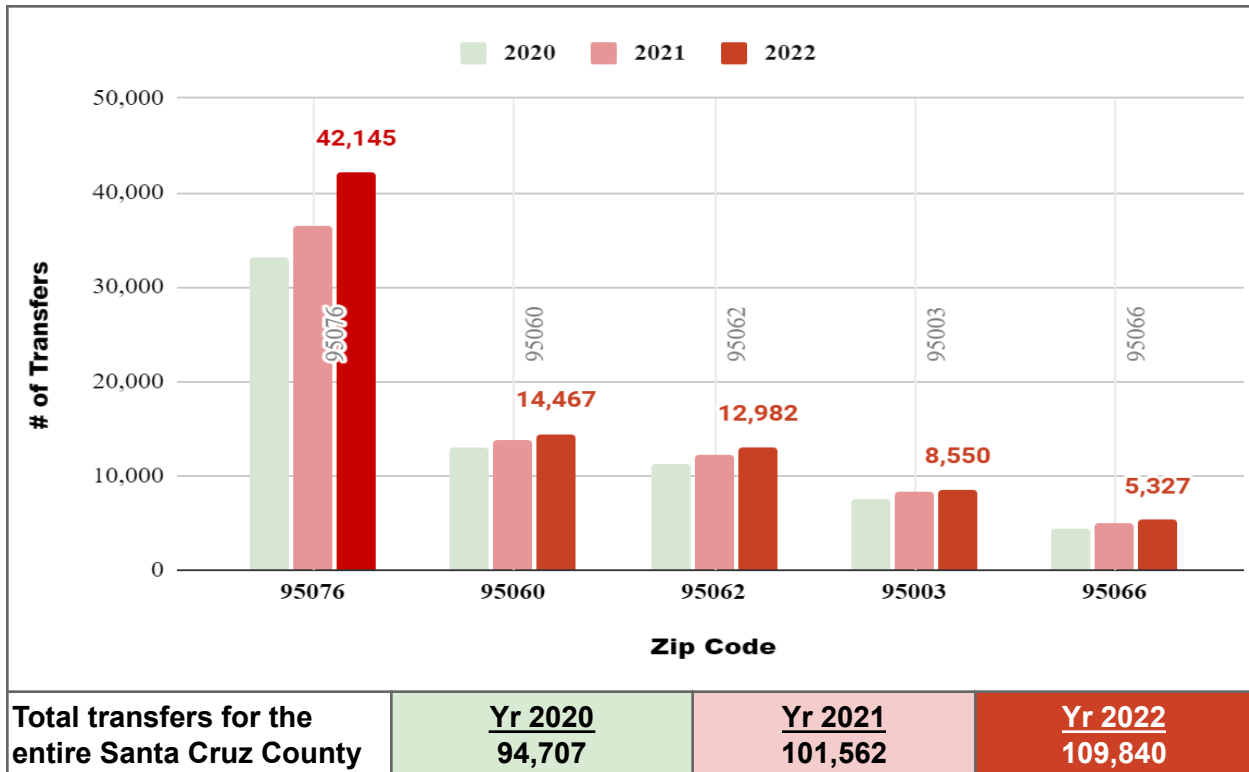


Figure 1: Patient Discharges to Hospitals Outside of the County (Top five zip codes).<sup>[20]</sup>

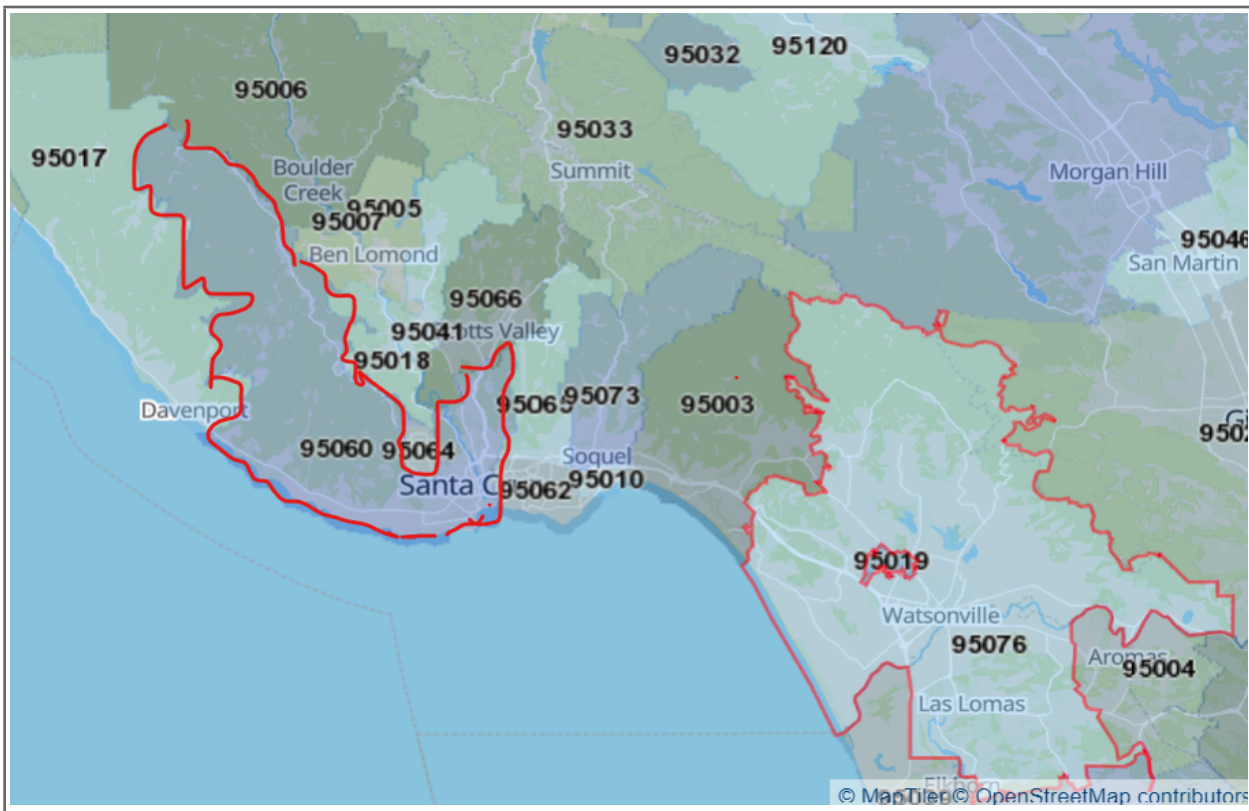


Figure 2: Zip codes within Santa Cruz County, showing cities.<sup>[21]</sup>

**How Much Do These Transfers cost?**

The County pays 100% of the cost for the care when Santa Cruz County HSA patients are transferred to an out-of-county inpatient facility. The County does not receive the Federal match for any Medi-Cal out-of-county inpatient care. This is in contrast to health care services provided within the county where the Federal funds match 50% of the Medi-Cal expenses.<sup>[22]</sup>

Figure 3 below shows the cost of out-of-county transfers or “Outside Hospital Expenses” in the County HSA Budget for years 2020-2022.

Data				
	2020-21 Actual	2021-22 Actual	2022-23 Adopted Budget	2022-23 Estimated Actuals
Outside Hospital Expense	\$ 16,568,173	\$ 20,759,402	\$ 17,679,129	\$ 18,846,400
Outside Expense Medical Care	3,985,277	3,495,324	4,294,350	4,294,350
Outside Physicians	255,881	255,561	400,000	400,000
<b>Total</b>	<b>\$ 20,809,332</b>	<b>\$ 24,510,287</b>	<b>\$ 22,373,479</b>	<b>\$ 23,540,750</b>

**Figure 3:** Derived from Santa Cruz County FY 2023-24 Financial Summary<sup>[23]</sup>

The high number of out-of-county transfers takes away funding from healthcare services like mental health and addiction treatment. The relative lack of inpatient health care services especially impacts the residents of 95076, as shown by these statistics. Increased inpatient facilities would reduce out-of-county transfers and associated costs to the county.

The passing of Measure N,<sup>[24]</sup> a \$116M bond initiative for Watsonville Community Hospital, may allow for better healthcare facilities in the 95076 zip code in the coming years. It may not stem the flow of patients needing emergency services in the short term.

**Prevention and Social Determinants of Health**

Continuing to build more facilities and providing more healthcare is a stopgap solution.

Recent action has been taken by the BoS and the County HSD to improve the situation in the form of a \$500,000 CORE Funding allocation for South County Prevention Services. The County has opened a South Government Services Center, in part for the delivery of these critical services for South County residents.<sup>[25] [26] [27]</sup>

Prevention is the only way to reduce long term health care costs.<sup>[28]</sup> Health care activities must include not only treatment of existing health conditions, but also promote health and prevention services that create healthier communities.

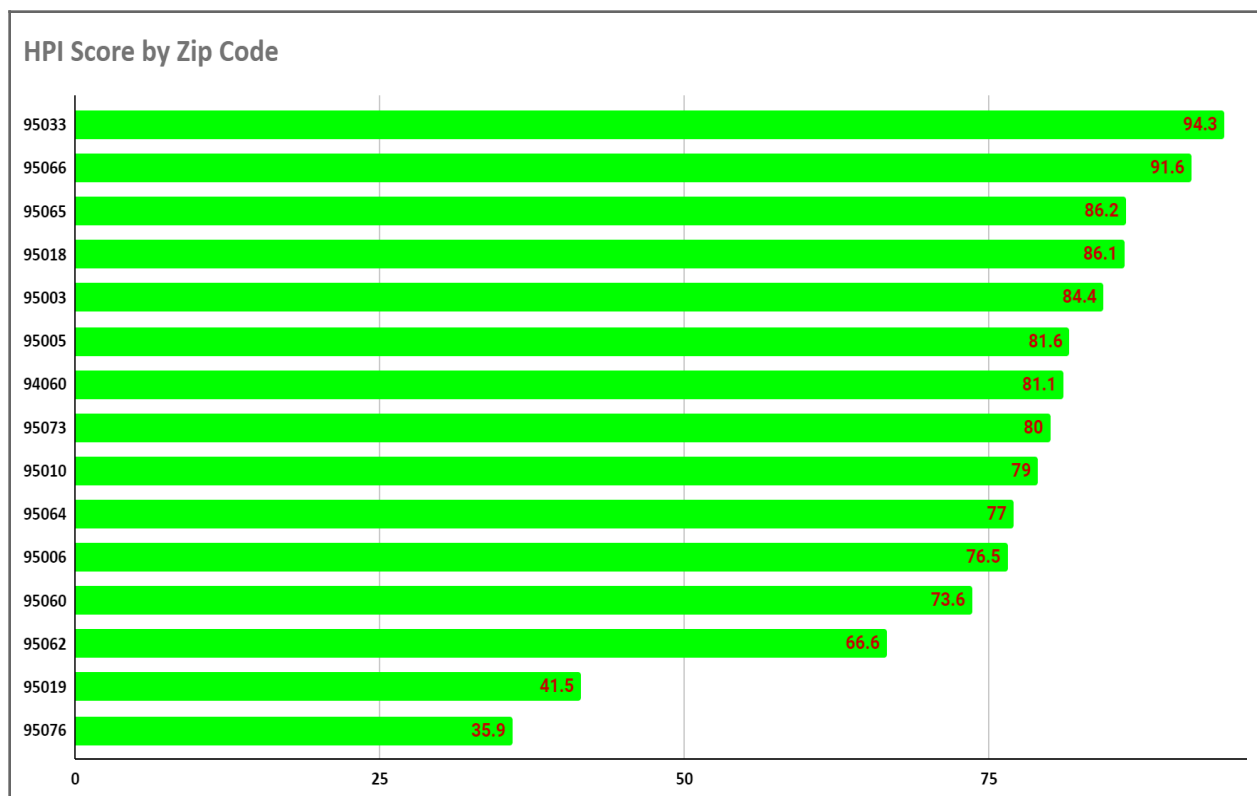
The Grand Jury decided to look at social determinants of health (SDOH) as advocated for by the Centers for Disease Control and Prevention (CDC).<sup>[29]</sup> SDOH are the conditions in the environments where people are born, live, learn, work, play, worship,

and age that affect a wide range of health, functioning, and quality-of-life outcomes and risks.<sup>[30]</sup> The SDOH is a more accurate indicator of health outcomes than either genetic factors or access to healthcare services.<sup>[31] [32] [33] [34]</sup> This means that things like a person's income level, education, and neighborhood environment have a larger impact on their health than the medical treatment they receive.

To look into the possible drivers of these indicators, the Grand Jury looked at Healthy Places Index® (HPI) data and Mental Health Index (MHI) data across zip codes of Santa Cruz County.

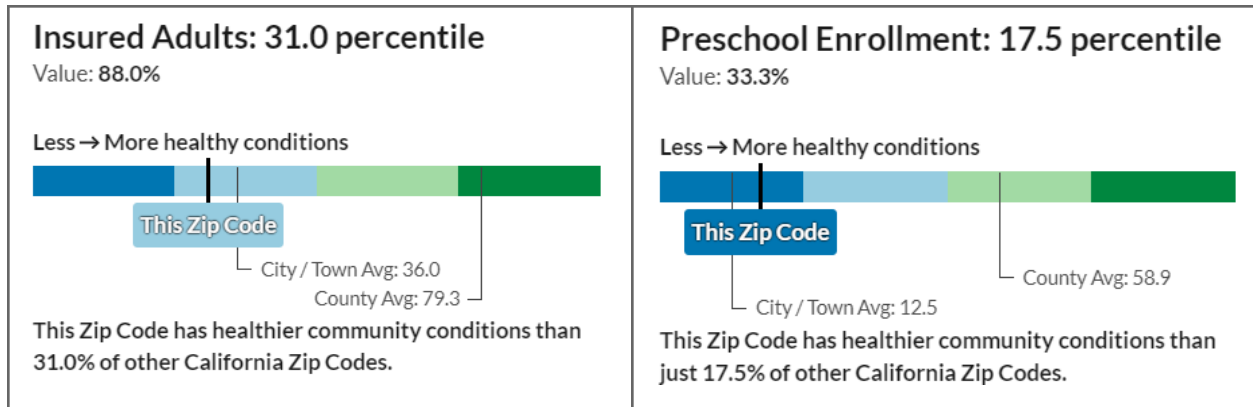
### Healthy Places Index®

A project of the Public Health Alliance of Southern California, the Healthy Places Index® (HPI), is a powerful data and policy platform created to advance health equity through open and accessible data.<sup>[35]</sup> This index maps data on social conditions that drive health such as education, job opportunities, healthcare access, and clean air and water. Higher numbers are indicative of better healthy community conditions compared to the rest of the California zip codes.



**Figure 4:** A comparison of HPI Scores for all zip codes in Santa Cruz County.<sup>[36]</sup>

Figure 4 above shows that the South County zip codes 95019 and 95076 have the lowest HPI scores within Santa Cruz county. These South County zip codes lag far behind the rest of the County zip codes on socioeconomic indicators for healthy living. This contributes to increased South County healthcare costs.



**Figure 5:** Examples of two socioeconomic indicators in zip code 95076<sup>[37]</sup>

Figure 5 above shows that even though 88% of adults residing in 95076 are insured, its percentile ranking is only 31% compared to other California zip codes. This indicates the effectiveness of being “insured.” Being insured by itself does not guarantee better health outcomes if the health services are poor or not available in the area. This is the case for 95076.<sup>[38] [39]</sup> The same is true for Preschool Enrollment indicating a very low enrollment compared to other zip codes.

California Proposition 1 (2024) is intended to address the socioeconomic indicators related to homelessness. This funding may eventually alleviate the housing, overcrowding and affordability issues in the 95076 zip code, reducing the incidence of mental health cases, hence improving general health outcomes.<sup>[40]</sup>

### **Mental Health Index**

The Mental Health Index developed by Conduent Healthy Communities Institute and part of the SocioNeeds Index® Suite, is a measure of the SDOH correlated with self-reported poor mental health. It identifies areas of high need within the community, requiring targeted interventions.<sup>[41]</sup> The MHI for the zip code 95076 has a rank of 5 indicating “High Need” with respect to socioeconomic indicators Homelessness, Unemployment, Healthcare Access, and Single Parent Household.<sup>[42] [43]</sup>

In summary, both HPI Index and Mental Health Index of 95076 reveal poor socioeconomic conditions compared to the rest of Santa Cruz County, calling for urgent attention to address these issues and reduce health care costs.

### **Case Management Programs**

Case Management programs provide comprehensive care to patients with complex needs. Santa Cruz County implements this type of program as Santa Cruz Enhanced Care Management.<sup>[44]</sup>

### **Santa Cruz County Care Management Background**

Santa Cruz County participated in a California pilot program called the Whole Person Care program, which started in 2016 and ended in 2021. It was a grant-funded program to provide case management services to Medi-Cal patients that met multiple needs

criteria.<sup>[45]</sup> There is evidence that case management programs such as Whole Person reduce costs and provide better outcomes for clients.<sup>[46]</sup> Based on this success, the Whole Person Program has been rolled out as Enhanced Care Management (ECM) starting in January 2022. The ECM program allows the providers to charge Medi-Cal for these services.

### ***Managed Care Services Provided***

The Enhanced Care Management programs focus on high-cost beneficiaries requiring high touch service with multiple needs, including mental health services.<sup>[47]</sup> The ECM programs provide each client with a lead case manager and each has a community health worker to assess needs. Health services are provided at County clinics. Services include assisting with housing and food needs in addition to mental and physical health support.<sup>[48]</sup>

Step-down programs manage the transition of clients from treatment to independent living. These programs often involve therapy, skills training, and medication management, all designed to help people transition back into the community successfully. These programs provide connection to both physical and behavioral health services. Managed care services are greatly enhanced with the availability of step-down programs. This will ensure there is a continuous glide path to wellness. Currently the County step-down services are severely limited. For example, ECM is offered as a new benefit to people released from incarceration as of January 2024.<sup>[49] [50]</sup>

### ***Challenges of Meeting the Demand for Managed Care Services***

Currently, ECM is reaching only 0.5% of the eligible ECM residents of Santa Cruz County.<sup>[51]</sup> There are 300-400 ECM clients currently enrolled countywide. The county has five different ECM programs at present. All of them have waiting lists.<sup>[52]</sup>

A major obstacle to expanding these services is the BHD job vacancy rate of up to 30%.<sup>[6]</sup> Additional case managers are needed to meet the patient demand. Case managers with the required experience and licensure are difficult to recruit and these positions often go unfilled for long periods of time. Providing additional services would have a negligible budget impact because these services are covered by Medi-Cal. The additional services provided by newly-hired case managers will be self-funding and therefore increased services will have negligible budget impact.

BHD is not currently using outcome-based metrics. Doing so will enable them to provide more effective services. Interviews indicated that patients are not typically surveyed for their functional skills and needs (such as done by ANSA). It is important to survey patients at intake, periodically during their time in the program and then finally when they leave the program. Interviewees also mentioned they had considered such surveys but didn't have the direction or scope to do so.<sup>[53] [54] [55]</sup> The RAND corporation had identified parameters for these surveys in its 2018 report.<sup>[56]</sup>

Despite the potential benefits of Managed Care Services in providing services for our most vulnerable Santa Cruz County residents with the help they need, the challenges with recruiting and funding make our ideal outcomes difficult to achieve.

## Conclusion

Santa Cruz has more homeless people per capita than anywhere else in California. A majority of these homeless residents are in need of behavioral health services. Compounding the problem is that the County's general budget is limited. Santa Cruz County is also an expensive place to live and therefore recruitment of health care providers is a challenge. Given these facts, Santa Cruz County is facing an uphill battle to provide adequate Behavioral Health Services both in terms of dollars and not having enough personnel. The Behavioral Health Services owes it to taxpayers to rigorously apply outcome-based metrics to determine which programs give the biggest bang for the buck.

The Grand Jury's preliminary analysis of regional service levels indicates South County residents have limited access to healthcare and lag other areas in socioeconomic indicators. Programs that improve socioeconomic indicators in South County will reduce behavioral healthcare and mental services costs in the long run.

## Findings

The Grand Jury wishes to acknowledge the fiscal limitations of Santa Cruz County. The findings and recommendations of this report are made with these fiscal restrictions in mind.

### ***Findings on Lack of Data Transparency***

- F1.** The County budget website lacks HSA Financial data visible to the public to ensure transparency of programs and funding efficacy.
- F2.** The County has limited staff to analyze the data for identifying trends which would allow focusing resources more effectively.

### ***Findings on Out-of-County Transfers and 95076 Zip Code***

- F3.** Zip code data can pinpoint areas of "High Need," which can direct data-driven funding for better health outcomes and give a better "Return on Investment."
- F4.** The 95076 zip code has an extraordinarily high number of patient transfers to outside the county compared to other zip codes of Santa Cruz county. This indicates a major lack of healthcare facilities and services to serve the community.
- F5.** A study of socioeconomic indicators of the 95076 zip code, compared to other zip codes of Santa Cruz county, reveal a dire need to improve the following:
  - Homelessness
  - Low Preschool Enrollment
  - Poor Health Care Access
  - Unemployment
  - Support for Single Parent Households

## **Findings about Case Management**

- F6.** The ECM programs are currently at capacity and have waiting lists. More providers are needed to expand the program further to transition more residents to independent living.
- F7.** Though there is evidence that managed care programs like ECM are effective, lack of data leaves doubt in the public’s mind. Data supporting the success rate of ECM programs would ensure stronger public support.

## **Recommendations**

- R1.** The Grand Jury recommends that Behavioral Health Services, in collaboration with the Chief Administrative Office Staff (CAO), provide a plan to report program performance on County websites. This plan should include data necessary to evaluate the effectiveness of each behavioral health program, including outcome-based metrics, patient feedback for each program, number of patients served, and financial details like budgeted expenses and revenue sources by program. This plan should be published by December 31, 2024. (F1, F2, F3)
- R2.** The Grand Jury recommends that the Board of Supervisors direct the CAO to implement performance budgeting of Behavioral Health Services over the next two-year budget cycle. This was also recommended by the 2017-2018 Grand Jury. The BoS should take this action by December 31, 2024. (F1)
- R3.** The Grand Jury recommends that because the 95076 zip code is the area of most need, Behavioral Health Division’s Enhanced Care Management programs should focus efforts on identifying and case managing clients in this area by December 31, 2024. (F3, F4, F5, F6, F7)
- R4.** The Grand Jury recommends that Behavioral Health Services, County Office of Education, and the Board of Supervisors develop and publish a plan, with measurable outcomes, that focuses on improving socioeconomic indicators in the 95076 zip code by December 31, 2024. (F3, F4, F5)
- R5.** The Grand Jury recommends that Behavioral Health Services and the Board of Supervisors include an outcome-based evaluation of contracted services through a summary report that is publicly available. This should be done for all new and renewed contracts by December 31, 2024. (F1, F2, F4, F5, F7)

## **Commendations**

- C1.** County Behavioral Health Services are to be commended for their dedicated service to the community. They provide compassionate care with limited resources, all while being understaffed. Given the Behavioral Health Services high job vacancy rate, existing resource providers continue to provide exemplary services.

## Required Responses

<i>Respondent</i>	<i>Findings</i>	<i>Recommendations</i>	<i>Respond Within/ Respond By</i>
Santa Cruz County Board of Supervisors	F1–F7	R1–R5	90 Days September 9, 2024
Santa Cruz County Superintendent of Schools	F3–F5	R4	60 Days August 12, 2024

## Invited Responses

<i>Respondent</i>	<i>Findings</i>	<i>Recommendations</i>	<i>Respond Within/ Respond By</i>
Santa Cruz County Behavioral Health Services Director	F1–F7	R1–R5	90 Days September 9, 2024
Santa Cruz County Chief Administrative Officer	F1	R1	90 Days September 9, 2024

## Definitions

- **BHD:** Behavioral Health Division
- **CAO:** Chief Administrative Office - County Administrative Office supervises County departments and functions and is responsible for the County budget, strategic management initiatives, communications, legislative advocacy, intergovernmental relations, and emergency operations, as well as management of the Board of Supervisors' meeting agendas and records
- **CCHA:** California Central Coast Alliance for Health - Serve the Medi-Cal Managed Care for Santa Cruz County.<sup>[47]</sup>
- **CDC:** Centers for Disease Control and Prevention
- **ECM:** Enhanced Care Management - Statewide Medi-Cal benefit available to eligible members with complex needs, including:
  - Access to a single Lead Care Manager who provides comprehensive care management and coordinates their health and health-related care and services.
  - Connections to the quality care they need, no matter where members seek care—at the doctor, the dentist, with a social worker, or at a community center.<sup>[47]</sup>
- **EQR:** External Quality Review - an analysis and evaluation of aggregate information on access, timeliness, and quality of health care services by Behavioral Health Concepts, Inc.<sup>[57]</sup>



- **HCB:** High-cost beneficiary - Identified as those with approved claims of more than \$30,000 in a year
- **HSA:** Health Services Agency
- **MHI:** Mental Health Index - a measure of social determinants and health factors correlated with self-reported poor mental health<sup>[41]</sup>
- **Performance Budgeting:** A performance budget is one that reflects both the input of resources and the output of services for each unit of an organization
- **SDOH:** Social determinants of health - Social determinants of health (SDOH) are the nonmedical factors that influence health outcomes. They are the conditions in which people are born, grow, work, live, and age, and the wider set of forces and systems shaping the conditions of daily life<sup>[31]</sup>

---

## Sources

### References

1. June 12, 2023. "Diagnosing the Crisis in Behavioral Health." Accessed February 13, 2024.  
[https://www.santacruzcountycalifornia.gov/Portals/0/County/GrandJury/GJ2023\\_final/2023-6\\_BHD\\_Report.pdf](https://www.santacruzcountycalifornia.gov/Portals/0/County/GrandJury/GJ2023_final/2023-6_BHD_Report.pdf)
2. 2022-2023 Civil Grand Jury. June 12, 2023. *Grand Jury Report. Diagnosing the Crisis in Behavioral Health*, Accessed March 16, 2024.  
[https://www.santacruzcountycalifornia.gov/Portals/0/County/GrandJury/GJ2023\\_final/2023-6\\_BHD\\_Report.pdf](https://www.santacruzcountycalifornia.gov/Portals/0/County/GrandJury/GJ2023_final/2023-6_BHD_Report.pdf)
3. April 22, 2021. California Department of Health Care Services (DHCS). *FY 2021-22 MEDI-CAL SPECIALTY BEHAVIORAL HEALTH EXTERNAL QUALITY REVIEW*, p. 37. Accessed January 9, 2024.  
<https://www.santacruzhealth.org/Portals/7/Pdfs/QI/Santa%20Cruz%20MHP%20EQR%20Final%20Report%20FY%202021-22.pdf#page=37>
4. February 13, 2024. "Health Service Agency - Budget details." Accessed February 13, 2024.  
[https://santacruzcountycalifornia.opengov.com/transparency/#/67961/accountType=revenues&embed=n&breakdown=types&currentYearAmount=cumulative&currentYearPeriod=years&graph=pie&legendSort=desc&proration=true&saved\\_view=316697&selection=946290C9C446CB5F1CFB67309697B565&projections=null&projectionType=null&highlighting=null&highlightingVariance=null&year=2024&selectedDataSetIndex=null&fiscal\\_start=earliest&fiscal\\_end=latest](https://santacruzcountycalifornia.opengov.com/transparency/#/67961/accountType=revenues&embed=n&breakdown=types&currentYearAmount=cumulative&currentYearPeriod=years&graph=pie&legendSort=desc&proration=true&saved_view=316697&selection=946290C9C446CB5F1CFB67309697B565&projections=null&projectionType=null&highlighting=null&highlightingVariance=null&year=2024&selectedDataSetIndex=null&fiscal_start=earliest&fiscal_end=latest)
5. June 12, 2023. *Santa Cruz County Civil Grand Jury. Diagnosing the Crisis in Behavioral Health*, Accessed April 23, 2024.  
[https://www.santacruzcountycalifornia.gov/Portals/0/County/GrandJury/GJ2023\\_final/2023-6\\_BHD\\_Report.pdf](https://www.santacruzcountycalifornia.gov/Portals/0/County/GrandJury/GJ2023_final/2023-6_BHD_Report.pdf)

6. 2022-2023 Civil Grand Jury. June 12, 2023. *2022-2023 Civil Grand Jury Report. Diagnosing the Crisis in Behavioral Health*, Accessed April 2, 2024.  
[https://www.santacruzcountyca.gov/Portals/0/County/GrandJury/GJ2023\\_final/2023-6\\_BHD\\_Report.pdf](https://www.santacruzcountyca.gov/Portals/0/County/GrandJury/GJ2023_final/2023-6_BHD_Report.pdf)
7. 2022-2023 Civil Grand Jury. June 12, 2023. *2022-2023 Civil Grand Jury Report*. Accessed April 2, 2024.  
[https://www.santacruzcountyca.gov/Portals/0/County/GrandJury/GJ2023\\_final/2023-6\\_BHD\\_Report.pdf](https://www.santacruzcountyca.gov/Portals/0/County/GrandJury/GJ2023_final/2023-6_BHD_Report.pdf)
8. Santa Cruz County. March 14, 2024. "Santa Cruz Budget Visualization." *Santa Cruz County*. Accessed March 14, 2024.  
[https://santacruzcountyca.opengov.com/transparency#/69825/accountType=expenses&embed=n&breakdown=types&currentYearAmount=cumulative&currentYearPeriod=years&graph=pie&legendSort=desc&proration=true&saved\\_view=448953&selection=6312D6FC2D11DF38515C6C21F3158D3F&projections=null&projectionType=null&highlighting=null&highlightingVariance=null&year=2024&selectedDataSetIndex=null&fiscal\\_start=earliest&fiscal\\_end=2023](https://santacruzcountyca.opengov.com/transparency#/69825/accountType=expenses&embed=n&breakdown=types&currentYearAmount=cumulative&currentYearPeriod=years&graph=pie&legendSort=desc&proration=true&saved_view=448953&selection=6312D6FC2D11DF38515C6C21F3158D3F&projections=null&projectionType=null&highlighting=null&highlightingVariance=null&year=2024&selectedDataSetIndex=null&fiscal_start=earliest&fiscal_end=2023)
9. Santa Cruz County Financial Reporting Platform. February 4, 2024. "Financial Summary." *Santa Cruz County budget website*. Accessed February 4, 2024.  
[https://santacruzcountyca.opengov.com/transparency/#/69825/accountType=revenues&embed=n&breakdown=bffbb26a-fd36-4276-b723-6e6ff200c1c0&currentYearAmount=cumulative&currentYearPeriod=years&graph=pie&legendSort=desc&proration=true&saved\\_view=319320&selection=C4BC1846B03CD2B009C9F78508D7C1B3&projections=null&projectionType=null&highlighting=null&highlightingVariance=null&year=2024&selectedDataSetIndex=null&fiscal\\_start=earliest&fiscal\\_end=latest](https://santacruzcountyca.opengov.com/transparency/#/69825/accountType=revenues&embed=n&breakdown=bffbb26a-fd36-4276-b723-6e6ff200c1c0&currentYearAmount=cumulative&currentYearPeriod=years&graph=pie&legendSort=desc&proration=true&saved_view=319320&selection=C4BC1846B03CD2B009C9F78508D7C1B3&projections=null&projectionType=null&highlighting=null&highlightingVariance=null&year=2024&selectedDataSetIndex=null&fiscal_start=earliest&fiscal_end=latest)
10. February 13, 2024. "Health Service Agency - Budget details." Accessed February 13, 2024.  
[https://santacruzcountyca.opengov.com/transparency/#/67961/accountType=revenues&embed=n&breakdown=types&currentYearAmount=cumulative&currentYearPeriod=years&graph=pie&legendSort=desc&proration=true&saved\\_view=316697&selection=946290C9C446CB5F1CFB67309697B565&projections=null&projectionType=null&highlighting=null&highlightingVariance=null&year=2024&selectedDataSetIndex=null&fiscal\\_start=earliest&fiscal\\_end=latest](https://santacruzcountyca.opengov.com/transparency/#/67961/accountType=revenues&embed=n&breakdown=types&currentYearAmount=cumulative&currentYearPeriod=years&graph=pie&legendSort=desc&proration=true&saved_view=316697&selection=946290C9C446CB5F1CFB67309697B565&projections=null&projectionType=null&highlighting=null&highlightingVariance=null&year=2024&selectedDataSetIndex=null&fiscal_start=earliest&fiscal_end=latest)
11. Confidential Grand Jury interview.
12. April 2, 2024. "Data-Driven Budgeting." Accessed April 2, 2024.  
[https://www.santacruzcountyca.gov/Portals/0/County/GrandJury/GJ2018\\_final/DataDrivenBudgeting.pdf](https://www.santacruzcountyca.gov/Portals/0/County/GrandJury/GJ2018_final/DataDrivenBudgeting.pdf)
13. Confidential Grand Jury interview.
14. Confidential Grand Jury interview.
15. Confidential Grand Jury interview.

16. Confidential Grand Jury interview.
17. December 4, 2023. “Janus Services.” Accessed December 4, 2023.  
<https://janussc.org/services/medication-assisted-treatment/#page=35>
18. December 4, 2023. “Volunteer Center.” Accessed December 4, 2023.  
<https://scvolunteercenter.org/programs/community-connection/our-services/#page=35>
19. Confidential Grand Jury interview.
20. Department of Health Care Access and Information, Healthcare Analytics Branch. March 14, 2024. “Patient Origin/Market Share (Pivot Profile)—Inpatient, Emergency Department, and Ambulatory Surgery.” *Website*. Accessed March 14, 2024.  
<https://data.chhs.ca.gov/dataset/patient-origin-market-share-pivot-profile-inpatient-emergency-department-and-ambulatory-surgery>
21. United States Zip Code. April 1, 2022. “Santa Cruz Zip Codes Map Zip Code Boundary Map.” *United States Zip Code*. Accessed April 19, 2024.  
<https://www.unitedstateszipcodes.org/>
22. Confidential Grand Jury interview.
23. Santa Cruz County. March 14, 2024. “Santa Cruz Budget Visualization.” *Santa Cruz County*. Accessed March 14, 2024.  
[https://santacruzcountyca.opengov.com/transparency#/69825/accountType=expenses&embed=n&breakdown=types&currentYearAmount=cumulative&currentYearPeriod=years&graph=pie&legendSort=desc&proration=true&saved\\_view=448953&selection=6312D6FC2D11DF38515C6C21F3158D3F&projections=null&projectionType=null&highlighting=null&highlightingVariance=null&year=2024&selectedDataSetIndex=null&fiscal\\_start=earliest&fiscal\\_end=2023](https://santacruzcountyca.opengov.com/transparency#/69825/accountType=expenses&embed=n&breakdown=types&currentYearAmount=cumulative&currentYearPeriod=years&graph=pie&legendSort=desc&proration=true&saved_view=448953&selection=6312D6FC2D11DF38515C6C21F3158D3F&projections=null&projectionType=null&highlighting=null&highlightingVariance=null&year=2024&selectedDataSetIndex=null&fiscal_start=earliest&fiscal_end=2023)
24. Watsonville Community Hospital. April 3, 2024. “Watsonville Community Hospital Measure N.” *Watsonville Community Hospital*. Accessed April 2, 2024.  
<https://watsonvillehospital.com/watsonville-community-hospital-measure-n/>
25. Santa Cruz County Human Services. May 13, 2024. “Change in South County Human Services Department Location.” *Santa Cruz County Press Release*. Accessed May 13, 2024.  
[https://www.santacruzcountyca.gov/portals/0/county/CAO/press%20releases/2024/500%20Westridge%20Human%20Services%20Opening%20May%202020%20\(Eng%205-13-2024\).pdf](https://www.santacruzcountyca.gov/portals/0/county/CAO/press%20releases/2024/500%20Westridge%20Human%20Services%20Opening%20May%202020%20(Eng%205-13-2024).pdf)
26. City Council Meeting. April 30, 2024. “City Council Meeting.” *City Council Meeting Transcript and Meeting Minutes*. Accessed April 30, 2024.  
<https://ecm.cityofsantacruz.com/OnBaseAgendaOnline/Meetings/ViewMeeting?id=2276&doctype=3>

27. Santa Cruz Sentinel. May 14, 2024. "Santa Cruz County agency to launch services at the new Watsonville Center." *Santa Cruz Sentinel*. Accessed May 14, 2024.  
<https://www.santacruzsentinel.com/2024/05/14/santa-cruz-county-agency-to-launch-services-at-new-watsonville-center/>
28. Confidential Grand Jury interview.
29. CDC. April 1, 2022. "Why Is Addressing Social Determinants of Health Important for CDC and Public Health?" *CDC*. Accessed April 17, 2024.  
<https://www.cdc.gov/about/sdoh/addressing-sdoh.html>
30. PRC Custom Research. December 1, 2023. "2023 Watsonville Community Hospital CHNA Community Health Needs Assessment." *Article*. Accessed March 14, 2024.  
<https://www.datasharescc.org/resource/library/index/view?id=317393805301012961>
31. ASPE, Office of Health Policy. April 1, 2022. "Addressing Social Determinants of Health: Examples of Successful Evidence-Based Strategies and Current Federal Efforts." *ASPE, Office of Health Policy*. Accessed April 2, 2024.  
<https://aspe.hhs.gov/sites/default/files/documents/e2b650cd64cf84aae8ff0fae7474af82/SDOH-Evidence-Review.pdf>
32. Bay Area Regional Health Inequities Initiative. April 1, 2022. "APPLYING SOCIAL DETERMINANTS OF HEALTH INDICATOR DATA FOR ADVANCING HEALTH EQUITY." *Bay Area Regional Health Inequities Initiative*. Accessed April 2, 2024.  
<https://static1.squarespace.com/static/647f6cbb489b5b79d0952c3f/t/6493fcf9bd4ed94fd232a3e8/1687420158225/BARHII-EV+Applying+Social+Determinants+of+Health.pdf>
33. NIH. December 6, 2019. "The relationship between mental disorders and actual and desired subjective social status." *NIH, National Library of Medicine*. Accessed March 10, 2024.  
<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC8061247/>
34. Nature. January 20, 2018. "The relationship between mental disorders and socioeconomic indicators." *Nature*. Accessed March 14, 2024.  
<https://www.nature.com/articles/s41599-018-0063-2#:~:text=The%20importance%20of%20socioeconomic%20factors%20for%20mental%20health&text=Experience%20of%20socioeconomic%20disadvantage%2C%20including,Rogers%20and%20Pilgrim%2C%202010>
35. Public Health Alliance of Southern California. March 14, 2024. "Healthy Places Index Determination." *Public Health Alliance of Southern California*. Accessed March 19, 2024.  
<https://map.healthyplacesindex.org/?redirect=false>

36. Public Health Alliance of Southern California. March 14, 2024. “Healthy Places Index Determination.” *Public Health Alliance of Southern California*. Accessed March 19, 2024.  
<https://map.healthyplacesindex.org/?redirect=false>
37. Public Health Alliance of Southern California. March 14, 2024. “Healthy Places Index Determination.” *Public Health Alliance of Southern California*. Accessed March 19, 2024.  
<https://map.healthyplacesindex.org/?redirect=false>
38. Sutter Health. December 1, 2022. “2022 Community Health Needs Assessment.” *Article*. Accessed March 14, 2024.  
<https://www.sutterhealth.org/pdf/for-patients/chna/smsc-2022-chna.pdf>
39. Lookout. March 19, 2024. “Against the odds, Watsonville Community Hospital survived bankruptcy. Will it survive the next few years?.” *Lookout Santa Cruz*. Accessed March 10, 2024.  
<https://lookout.co/watsonville-community-hospital-survived-bankruptcy-will-it-survive-next-few-years/>
40. Santa Cruz Local. March 26, 2024. “Rising homelessness in Watsonville prompts new strategies.” *Santa Cruz Local*. Accessed March 14, 2024.  
<https://santacruzlocal.org/2024/03/26/rising-homelessness-in-watsonville-prompt-s-new-strategies/>
41. Santa Cruz County. March 14, 2024. “Mental Health Index.” *Santa Cruz County*. Accessed March 14, 2024.  
<https://www.datasharescc.org/indexsuite/index/view?alias=mentalhealth>
42. Santa Cruz County. March 14, 2024. “Mental Health Index Determination Methodology.” *Santa Cruz County*. Accessed March 10, 2024.  
<https://help.healthycities.org/hc/en-us/articles/14075397676567-What-is-the-Mental-Health-Index-ranking-and-how-is-it-determined>
43. Santa Cruz County. March 14, 2024. “Mental Health Index.” *Santa Cruz County*. Accessed March 10, 2024.  
<https://www.datasharescc.org/indexsuite/index/view?alias=mentalhealth&periodId=307>
44. Angelo P. Giardino 1, Orlando De Jesus 2. May 15, 2024. “Case Management.” Accessed May 15, 2024.  
<https://pubmed.ncbi.nlm.nih.gov/32965885/#:~:text=Case%20management%20is%20defined%20as,psychosocial%20possible%20goals%20and%20outcomes.>
45. March 23, 2024. “Together We Care.” Accessed March 23, 2024.  
<https://www.santacruzhealth.org/Portals/7/Pdfs/Local%20Mental%20Health%20Board/Together%20We%20Care%20Presentation.pdf>

46. UCLA Center for Health Policy Research. February 8, 2023. "Final Evaluation of California's Whole Person Care (WPC) Program." Accessed March 13, 2023. <https://healthpolicy.ucla.edu/our-work/publications/final-evaluation-californias-whole-person-care-wpc-program>
  47. California Central Coast Health Alliance. January 20, 2024. "Enhanced Care Management (ECM)." <https://thealliance.health/>. Accessed January 20, 2024. <https://thealliance.health/for-members/get-care/other-services/enhanced-care-management/>
  48. Confidential Grand Jury interview.
  49. Applied Survey Research (ASR). February 23, 2023. *HOMELESS COUNT AND SURVEY COMPREHENSIVE REPORT*. Accessed May 15, 2024. <https://housingforhealthpartnership.org/Portals/29/HAP/Providers/Data/2023PITFullReport.pdf>
  50. Confidential Grand Jury interview.
  51. Confidential Grand Jury interview.
  52. Confidential Grand Jury document.
  53. Confidential Grand Jury interview.
  54. Confidential Grand Jury interview.
  55. December 4, 2023. "Adult Needs and Strengths Assessment (ANSA)." Accessed December 4, 2023. [https://www.santacruzhealth.org/HSAHome/HSADivisions/BehavioralHealth/AdultMentalHealthServices/AdultNeedsandStrengthsAssessment\(ANSA\).aspx#page=33](https://www.santacruzhealth.org/HSAHome/HSADivisions/BehavioralHealth/AdultMentalHealthServices/AdultNeedsandStrengthsAssessment(ANSA).aspx#page=33)
  56. J. Scott Ashwood. April 2, 2024. "Evaluation of the Mental Health Services Act in Los Angeles County," p. 61. Accessed April 3, 2024. [https://www.rand.org/pubs/research\\_reports/RR2327.html](https://www.rand.org/pubs/research_reports/RR2327.html)
  57. April 22, 2021. California Department of Health Care Services (DHCS). *FY 2021-22 MEDI-CAL SPECIALTY BEHAVIORAL HEALTH EXTERNAL QUALITY REVIEW*, p. 37. Accessed January 9, 2024. <https://www.santacruzhealth.org/Portals/7/Pdfs/QI/Santa%20Cruz%20MHP%20EQR%20Final%20Report%20FY%202021-22.pdf#page=7>
- 
-



**SANTA CRUZ COUNTY**  
Civil Grand Jury

701 Ocean Street, Room 318-I  
Santa Cruz, CA 95060  
(831) 454-2099  
grandjury@scgrandjury.org

## Honoring Commitments to the Public

### Review of 2020-21 Grand Jury Report Responses

---

#### Summary

The value of Grand Jury reports and recommendations comes when government agencies actually improve their transparency and efficiency. It typically takes two years for results to be measurable.

The 2023-24 Santa Cruz County Civil Grand Jury reviewed local government responses to three of the nine 2020-21 Grand Jury reports. The other six (6) reports were in compliance. The purpose was to determine whether the named local government officials and their agencies met their stated commitments. Following through on these commitments is required by California Penal Code section 933.05.

In two cases, the agencies promised to take action at some unspecified time in the future. This is not an appropriate response. The specific time action will be taken is required to be specifically stated.

The Grand Jury investigation on those two cases discovered that there was significant action taken, though in the case of one report Grand Jury recommendations were not fully implemented. In the third case, the specific recommendations could not be addressed due to changing circumstances. The reports reviewed, and agency actions, are below:

- *Santa Cruz County Agricultural Commissioner's Office Can Get By with a Little Help from its Friends*: The Commissioner's Office still has work to do. Four new recommendations have been made to address the original recommendation, which is still unmet.
- *Wildfire Threat to the City of Santa Cruz*: Commitments were partially met.
- *The CZU Lightning Complex Fire - Learn...or Burn?*: Commitment has been met.

### Table of Contents

**Summary..... 1**

**Table of Contents.....2**

**Background..... 3**

**Scope and Methodology..... 3**

**Investigation.....4**

**1. Santa Cruz County Agricultural Commissioner's Office**

**Can Get By with a Little Help from Its Friends..... 4**

            2023-24 Grand Jury Follow-up to R2 and R3..... 5

            Findings..... 6

            Recommendations..... 7

**2. Wildfire Threat to the City of Santa Cruz.....7**

        2023-24 Grand Jury Follow-up and City Response to R2..... 8

        2023-24 Grand Jury Follow-up and City Response to R8..... 9

        Finding..... 9

        Recommendations..... 10

**3. The CZU Lightning Complex Fire – Learn...or Burn?..... 10**

        2023-24 Grand Jury Follow-up and Santa Cruz County Board Of Supervisors  
        Response to R3..... 10

        Finding..... 11

        Recommendation..... 11

**Conclusion..... 11**

**Required Responses..... 12**

**Invited Responses..... 12**

**Definitions..... 12**

**Sources..... 12**

    References..... 12

    Websites..... 14



## Background

Each year the Santa Cruz County Civil Grand Jury (Grand Jury) investigates local government operations. It then issues reports with the goal of improving government efficiency and effectiveness, and promoting accountability and transparency. The Grand Jury reports make recommendations for improvements. When called for in the report, elected local government officials and governing bodies are required to respond to the Grand Jury's findings and recommendations.

Each investigated organization receives a copy of the Grand Jury's report and a response packet that includes the instructions. They send their responses to the presiding judge of the Superior Court with a copy to the Grand Jury. Elected officials must respond within 60 days and governing bodies are required to respond within 90 days.

Only governing bodies and elected county officers are required to respond to Grand Jury reports. However, the Grand Jury may invite a response from other "responsible officers" such as the chief administrative officer of a government function.

Readers interested in a more comprehensive look at the Grand Jury reports and responses are encouraged to read the original reports and responses. All may be found on the County's Grand Jury web page in the Reports section.

## Scope and Methodology

For this Honoring Commitments report, the Grand Jury reviewed responses to the following three 2020-21 reports:

- *Santa Cruz County Agricultural Commissioner's Office Can Get By with a Little Help from Its Friends.*<sup>[1]</sup>
- *Wildfire Threat to the City of Santa Cruz*<sup>[2]</sup>
- *The CZU Lightning Complex Fire – Learn...or Burn?*<sup>[3]</sup>

The 2023-24 Grand Jury has followed up with the responding agencies for these selected reports. The Grand Jury wanted to know whether the agencies actually did implement recommendations as they said they would, or that they did the further analysis, and what the outcome was. Without follow-up these recommendations can fall by the wayside and drop out of public view.

Online research of websites, news articles, and published reports as well as interviews were all employed by the Grand Jury to investigate these issues.

Grand Juries are authorized to review report responses for each of the following categories. However, the responses in this report address only categories 2 and 3 as listed below:

1. HAS BEEN IMPLEMENTED – provide a summary of the action taken,
2. HAS NOT YET BEEN IMPLEMENTED BUT WILL BE IN THE FUTURE – provide a timeframe or expected date for implementation,

3. REQUIRES FURTHER ANALYSIS – provide an explanation, scope, and parameters of an analysis to be completed within six months, or
4. WILL NOT BE IMPLEMENTED – provide an explanation of why it is not warranted or not reasonable.

## Investigation

### **1. Santa Cruz County Agricultural Commissioner's Office Can Get By with a Little Help from Its Friends**

This report from the 2020-21 Grand Jury had to do with managing resident notification gaps related to agricultural pesticide applications near schools and neighborhoods.

The Watsonville City Council responded to public demands for advance notice of pesticide use in nearby neighborhoods with a City Council resolution.

It was believed that the Santa Cruz County Agriculture Commissioner's office could post the submitted and approved notices online, indicating that pesticide application was about to take place.<sup>[1]</sup>

#### **2020-21 R2: Recommendation by Grand Jury**

*Within six months, the Board of Supervisors should assess and initiate online posting, text, or email notification of pesticide applications for nearby neighborhoods.*<sup>[4]</sup>

#### **2020-21 R2: Response and Explanation from Santa Cruz County Board of Supervisors**

##### ***WILL NOT BE IMPLEMENTED – explain why***

*Our County has been engaged with community members residing next to farms that may have questions or want information about the use of pesticides. These engagement efforts are led by the Agricultural Commissioner who works with our growers and community members to encourage more communication.*

*The California Department of Pesticide Regulation (DPR) is in the early stages of assessing feasibility for a statewide notification program and DPR is the appropriate agency to lead these efforts to ensure a program that is equitable and consistent across the State.*<sup>[5]</sup>

#### **2020-21 R3: Recommendation by Grand Jury**

*Within six months, the Board of Supervisors should lobby the state and the Department of Pesticide Regulation to require that specific location information useful to the public be included on forms such as the Restricted Material Permits and the Notice of Intent forms.*<sup>[4]</sup>

## 2020-21 R3: Response and Explanation from Santa Cruz County Board of Supervisors

### ***WILL NOT BE IMPLEMENTED – explain why***

*These efforts are already underway by the California Department of Pesticide Regulation (DPR). DPR is in the early stages of engaging stakeholders on the development of a statewide pesticide notification program. DPR plans to have listening sessions with communities throughout the State later this year to receive feedback and comments regarding information that would be important as part of any notification process including more site-specific information. Input from communities and stakeholders will drive the specific information that will be included on notifications and whether Restricted Material Permits and Notices of Intent are the best outlets to provide this information. It is possible that notification information may be provided in a different format in an effort to make the information comprehensive.<sup>[5]</sup>*

## 2023-24 Grand Jury Follow-up to R2 and R3

Even though the responses to these recommendations were neither:

HAS BEEN IMPLEMENTED nor

HAS NOT YET BEEN IMPLEMENTED BUT WILL BE IN THE FUTURE,

the 2023-24 Grand Jury assessed that the responses did require follow-up to assure the public that the issue is being addressed.

The 2023-24 Grand Jury did research on the California Department of Pesticide Regulation website, and interviewed personnel in the Santa Cruz County Agricultural Commissioner’s Office as well as officials of the City of Watsonville.<sup>[6]</sup>

The Grand Jury learned that the DPR is indeed developing a new system of notification for agricultural pesticide applications statewide, called “Spray Days Now.” A preliminary version of that application has been tested in four California counties, including Santa Cruz County. The testing was done with the participation of the Santa Cruz County Agricultural Commissioner and several residential communities near agricultural fields.<sup>[6] [7] [8]</sup>

The program has two modes of operation. The first is passive. It allows anyone to go to a specific website where they will be presented with a map of California. The user can then drill down on the map to their (or any) specific location and locate any planned pesticide application in that area. The second mode is more active. It allows a user to sign up to be notified anytime a pesticide application is to be made in an area near their home, business, school, etc.<sup>[7]</sup>

This new program was initially scheduled to be rolled out in the spring of 2024, but due to various project issues it is now expected to be ready by spring of 2025.<sup>[7]</sup>

The Grand Jury found, through interviews with officials at the county and city levels, that information about the new program being developed by the CDP has not been successfully communicated to impacted south county city officials.

The County Agricultural Commissioner's Office is the primary liaison to the state Department of Pesticide Regulation. The information in this section was largely furnished by the Commissioner's Office. To corroborate this data, fact finding with other agencies such as the City of Watsonville or Pajaro Valley School District was done. The Grand Jury did not observe content reflecting the plan on those agency websites and was not briefed on it by those agencies based on interviews.<sup>[8] [9]</sup>

The Grand Jury did learn some good news from the County Agricultural Commissioner. As science progresses, less toxic pesticides are being developed and released regularly. This reduces the severity of health and environmental impacts in the community. There is also growth in the organic control of pests, again reducing hazards to the public. In addition, many growers in Santa Cruz County are now investing in artificial intelligence driven machines, such as one that goes through the crop fields and vacuums up any unwanted insect pests, and one that can selectively destroy weeds with laser beams, avoiding the crop plants. These methods further reduce negative impacts and allow the growers to continue producing high quality agricultural products.<sup>[7]</sup>

## **Findings**

- F1.** The California Department of Pesticide Regulation is developing a new system of notification for agricultural pesticide applications statewide and the proof of concept shows promise of being a good solution for notifying the public of pesticide application information in a timely manner.
- F2.** The Active and Passive modes of notification will allow access to members of the public in a manner of their choosing. Some people are comfortable signing up for notifications, others are not and would prefer to look up the information anonymously. This appears to provide most people the option to choose the method with which they are most comfortable.
- F3.** Because project delays have put off the release of the new system until the Spring of 2025, rather than 2024 as originally proposed, it is even more important that the public be made aware of what the new system will provide to them.
- F4.** As science progresses, less toxic pesticides are being developed and released regularly, and growers are finding acceptable alternatives to many pesticides. Less toxic pesticide use in Santa Cruz county is leading to lower risks to human and environmental health.
- F5.** Communication between the Agricultural Commissioner's Office and other south county officials concerning pesticide management is not adequate, leading to a higher risk to human health.

## Recommendations

- R1.** The Grand Jury recommends that the Office of the Agricultural Commissioner makes known to City of Watsonville officials and various governmental agencies information about advances in agricultural pest control, including less toxic pesticides and alternative methods of pest eradication. This information should be shared by September 30, 2024. (F4, F5)
- R2.** The Grand Jury recommends that the Office of the Agricultural Commissioner inform the public about advances in agricultural pest control, particularly to residents in areas commonly exposed to pesticide applications. This should be completed by October 15, 2024. (F4, F5)
- R3.** The Grand Jury recommends that the Office of the Agricultural Commissioner makes known to City of Watsonville officials and various governmental agencies, information about the “Spray Days Now” notification system being developed by the state DPR. Information should be shared by September 30, 2024. (F1, F2, F3, F5)
- R4.** The Grand Jury recommends that the Office of the Agricultural Commissioner communicate information to the public about the “Spray Days Now” notification system being developed by the state DPR, especially in areas impacted by pesticide use. This should be completed by October 15, 2024. (F1, F2, F3, F5)

## 2. Wildfire Threat to the City of Santa Cruz

The Grand Jury of 2020-21 investigated the high risk probability of wildfires, especially in areas surrounding the City of Santa Cruz known as the Wildland Urban Interface Area (WUI). The Grand Jury wanted to know how the high risk of wildfires was being addressed and our level of preparedness. The 2020-21 report specifically addressed the issue of homeless encampments and how they contributed to wildfire risk in WUI areas of the city.<sup>[2]</sup>

### 2020-21 Grand Jury Report, Recommendation R2

*In the next three months, the City Council needs to have more transparent and formal coordination with the county on management of homeless resources.*<sup>[2]</sup>

### 2020-21 R2: Response and Explanation from Santa Cruz City Council

***Has not yet been implemented but will be in the future.***

*The 2x2 Committee, consisting of the City’s Mayor and Vice Mayor as well as the County Supervisors from Districts 3 & 5, meets every other week on homelessness issues. The Mayor and Vice Mayor provide a verbal report on those discussions at Council meetings on a monthly basis. County/City coordination through the Homeless Action Partnership has not been as transparent as it could be; however, the County has proposed a new charter to regional participants and it should increase transparency. It has been adopted by the HAP and is proceeding with consideration by cities and the county.*<sup>[2]</sup>

## **2023-24 Grand Jury Follow-up and City Response to R2**

The following is an excerpt from the Office of the City Manager of Santa Cruz in response to the Grand Jury's request for their follow-up to recommendations made in the 2020-21 Grand Jury report Wildfire Threat to the City of Santa Cruz:

*City and County representatives began informally meeting in 2016. In January of 2018, both the City and the County formalized their respective agencies' participation and communication through a committee known as the 2x2. The 2x2 was composed of two members from the County Board of Supervisors and two members from the City Council to improve coordination between the agencies regarding homelessness issues. The goal was to form a regional response, in partnership with the County, to strengthen City efforts to improve how we respond to the homelessness crisis.*

*In January of 2022, the Santa Cruz County Housing for Health Partnership (H4HP) Policy Board was created to replace the Homeless Action Partnership (HAP) oversight groups. The newly created H4HP serves as the federally designated Housing and Urban Development Department (HUD) Continuum of Care (CoC) Board for Santa Cruz County and coordinates resources, programs, and services focused on preventing and ending homelessness.<sup>[10][11]</sup>*

*Prior to the creation of the H4HP Policy Board, the HAP CoC oversight groups included staff from the County's four cities, the County, a member of the health sector, members from various non-profits serving the homeless community, and those with lived experience. The HAP groups did not include elected officials. Subsequently, changes were made to the CoC governance structure to ensure broader and deeper engagement of City and County leaders in the CoC planning and decision-making process, with the additional option to include elected officials from the cities and the County on the Policy Board. The current Policy Board membership overlaps with individuals historically involved with the 2x2 and HAP. The City of Santa Cruz has two seats on the policy board, which may be filled by elected officials, government staff, or other citizens. Therefore, the 2X2 was eliminated, however staff continue to meet on a bi-weekly basis. to collaborate on projects of mutual interest related to homelessness.<sup>[12][13][14]</sup>*

Grand Jury research found that the Santa Cruz County Housing for Health Partnership is in place. This group is a collaboration between the County's Human Services Department and a coalition of partners and resources for the purpose of preventing and ending homelessness within our County. The partnership includes a wide variety of members from the community including Santa Cruz City Council members, Board Supervisors, agency representatives, and County senior-level employees.

In March 2019 the Partnership began developing the Healthy Santa Cruz County Strategic Framework. The Framework contains steps aimed to reduce "unsheltered and overall homelessness countywide by January 2024." The Framework outlines a detailed plan to accomplish this goal.<sup>[15]</sup>

With regard to the City Manager’s response to 2020-2021 Recommendation R2, the City has met its commitment to formally collaborate with the County for the purpose of managing homeless resources and reducing homelessness in our County.

### **2020-21 R8: Recommendation by Grand Jury**

*In the next six months, the City Council should produce a detailed plan and accounting of how the federal and state homeless funds are used.<sup>[2]</sup>*

### **2020-21 R8: Response and Explanation from Santa Cruz City Council**

***Has not yet been implemented but will be in the future.***

*The City has detailed information on how all state and federal funds received to date have been spent. The City received additional, direct funding from the state as part of the current state budget, and the requirements for how that will be spent and what that will fund are still to be determined. Similarly, direct funding from the American Rescue Act will go towards homelessness, but specifics related to that spending and the associated limitations are still to be determined. City staff are working with a consultant to provide a consolidated report on various City expenditures, including prior and upcoming state and federal fund expenditures.*

### **2023-24 Grand Jury Follow-up and City Response to R8**

The following is an excerpt from the Office of the City Manager of Santa Cruz in response to the Grand Jury’s request for their follow-up to recommendations made in the 2020-21 Grand Jury report Wildfire Threat to the City of Santa Cruz:

*A detailed plan for the use of funds was originally developed in March of 2022. The cost projections were revised in May of 2022. Further updates to the budget were presented to the City Council in December of 2022. During the budget presentations to the City Council for FY24, a summary of expenditures was presented to the City Council on May 23, 2023.<sup>[12] [16]</sup>*

The City’s response to the Grand Jury’s 2020-21 report states that the City has “detailed information on how all state and federal funds received to date have been spent.” Yet no such information appears to have been provided.

The City’s FY 2024 Annual Budget attached to the May 23, 2023 City Council meeting contains only high level revenue and expenditure line items for Homeless Response Program Funds. Revenues of \$14M in 2022 appear to be a lump sum to be spread over an unknown number of years. Overall expenditure figures for 2022 (actual), 2023 (adopted budget), and 2024 (adopted budget) total approximately \$20M.

### **Finding**

- F6.** With regard to the City Manager’s response to Recommendation R8, the City’s FY 2024 Annual Budget does not provide a detailed plan and accounting of how homeless funds have been used. The City’s response only partially fulfilled its commitment to make related budget figures available.

## **Recommendations**

- R5.** Within 90 days the City Manager should publish the figures that their initial response indicated were available for prior for years. (F6)
- R6.** Within 90 days the City should publish the summary of expenditures as presented to the City Council in May 2023 that expand on the figures provided in the FY 2024 Annual Budget. (F6)

### **3. The CZU Lightning Complex Fire – Learn...or Burn?**

The CZU Lightning Complex fires of August 2020 were ignited by over three hundred lightning strikes in the counties of Santa Cruz and San Mateo. The fires burned for thirty seven days creating the largest wildfire in the history of Santa Cruz County. The 2020-21 Grand Jury wanted to know how the governmental response to the fire measured up and whether it could be deemed prepared for the next wildfire eventuality.<sup>[3]</sup>

#### **2020-21 R3: Recommendation by Grand Jury**

*Within the next six months, the Board of Supervisors should require that CAL FIRE produce timely after-action reports for all major incidents.*<sup>[3]</sup>

#### **2020-21 R3: Response and Explanation from Santa Cruz County Board Of Supervisors**

##### ***Requires further analysis***

*CAL FIRE, as County Fire has participated in County after action reviews and participates in monthly coordination meetings with law enforcement, CAO, and The County Fire Chiefs Association met to discuss lessons learned and continues to meet and work together. Substantive concerns at the State level are outside the local span of control to address. County Fire and its State CAL FIRE partners provided a professional response under considerable strain from the magnitude of this incident.*<sup>[3][17]</sup>

#### **2023-24 Grand Jury Follow-up and Santa Cruz County Board Of Supervisors Response to R3**

The following is the response from the Director of the Office of Response, Recovery and Resiliency (OR3), David Reid, on behalf of the Board of Supervisors 2023-24:

*CAL FIRE has and will participate in After Action Reviews conducted by the County Office of Response, Recovery and Resilience for all major incidents that impact the County. OR3 is coordinating closely with CAL FIRE as County Fire on Wildfire Prevention activities, the County of Santa Cruz Emergency Operations Plan update, and alert and warning practices.*<sup>[17][18]</sup>

In addition to the above statement from the Office of Response, Recovery and Resiliency, the Grand Jury acquired a copy of a report titled *2020 CZU Lightning*



*Complex Fire: After-Action Report and Improvement Plan*, published on December 7, 2021.<sup>[19]</sup> The purpose of the report was to provide an analysis of the strengths and weaknesses of the Emergency Operation Center’s (EOC) core capabilities and identify improvement strategies.

The County of Santa Cruz and coordinating response partners held feedback sessions in order to assess the successes and failures of the CZU response. CAL FIRE is listed in Appendix C of the After-Action Report as a contributing partner although it is difficult to determine to what extent CAL FIRE participated.

These sessions produced an extensive list of emergency management program opportunities for improvement and functional gaps. At the time the report was published, working groups had been meeting weekly to bi-weekly to address the prioritized improvement goals. At that time several process improvements had been completed. Several others were under development or not yet started.

The 2023-24 Grand Jury is pleased with the thoroughness and completeness of the response to the Grand Jury’s recommendation.

## **Finding**

**F7.** The joint effort between CAL Fire and OR3, as well as many other partners listed in the report, to improve preparedness for future wildfires is well-documented in the above-mentioned *After-Action Report and Improvement Plan*. Furthermore, the Grand Jury’s recommendation that this undertaking commence within 6 months of the Grand Jury report publication did take place in the allotted time period. However, the Grand Jury did not find the original report or any published updates to the initial report that included progress towards the report’s stated objectives. Such publications would reassure the public that wildfire preparedness is a priority and is being addressed.

## **Recommendation**

**R7.** The Grand Jury requests an update as to the progress to date of the objectives outlined in the December 2021 After-Action Report in Appendix A: CORE CAPABILITIES / IMPROVEMENT PLAN and further requests that the OR3 publish this update on its website. (F7)

## **Conclusion**

As previously mentioned in the Summary, the 2023-24 Grand Jury reviewed responses to three of the nine 2020-21 reports and found that, to varying degrees, commitments were kept. In some cases, the agencies are implementing recommendations but it’s not clear if the actions are in response to the Grand Jury or whether they were instigated by the agencies. The Grand Jury continues to recommend that all organizations create and regularly update formal records of the actions they take to address Grand Jury recommendations, and to share those records with the public, in accordance with CA Penal Code section 933(c).

## Required Responses

<i>Respondent</i>	<i>Findings</i>	<i>Recommendations</i>	<i>Respond Within/ Respond By</i>
Santa Cruz County Board of Supervisors	F1–F5, F7	R1–R4, R7	90 days September 16, 2024
Santa Cruz City Council	F6	R5, R6	90 days September 16, 2024

## Invited Responses

<i>Respondent</i>	<i>Findings</i>	<i>Recommendations</i>	<i>Respond Within/ Respond By</i>
Santa Cruz County Agricultural Commissioner	F1–F5	R1–R4	90 days September 16, 2024
Santa Cruz City Manager	F6	R5, R6	90 days September 16, 2024
Director, Santa Cruz County Office of Response, Recovery and Resiliency	F7	R7	90 days September 16, 2024

## Definitions

- CAO:** Chief Administrative Office  
**EOC:** Emergency Operation Center  
**DPR:** Department of Pesticide Regulation  
**H4HP:** Housing for Health Partnership  
**HUD:** US Department of Housing and Urban Development  
**OR3:** Office of Response, Recovery and Resiliency  
**WUI:** Wildland Urban Interface area  
**HAP:** Homeless Action Partnership

## Sources

### References

- 2020-2021 Santa Cruz Civil Grand Jury. June 29, 2021. *2020-21 Grand Jury Report. Santa Cruz County Agricultural Commissioner's Office Can Get By with a Little Help from Its Friends*. Accessed March 20, 2024.  
[https://www.santacruzcountycga.gov/Portals/0/County/GrandJury/GJ2021\\_final/7\\_AgComm\\_Report.pdf](https://www.santacruzcountycga.gov/Portals/0/County/GrandJury/GJ2021_final/7_AgComm_Report.pdf)

2. 2020-2021 Santa Cruz Civil Grand Jury. June 24, 2021. *2020-21 Grand Jury Report. Wildfire Threat to the City of Santa Cruz*. Accessed February 25, 2024. [https://www.santacruzcountyca.gov/Portals/0/County/GrandJury/GJ2021\\_final/2\\_CityWildfire\\_Report.pdf](https://www.santacruzcountyca.gov/Portals/0/County/GrandJury/GJ2021_final/2_CityWildfire_Report.pdf)
3. 2020-2021 Santa Cruz Civil Grand Jury. June 24, 2021. *2020-21 Grand Jury Report. The CZU Lightning Complex Fire – Learn...or Burn?* Accessed February 25, 2024. [https://www.santacruzcountyca.gov/Portals/0/County/GrandJury/GJ2021\\_final/8\\_AfterCZU\\_Report.pdf](https://www.santacruzcountyca.gov/Portals/0/County/GrandJury/GJ2021_final/8_AfterCZU_Report.pdf)
4. 2020-2021 Santa Cruz Civil Grand Jury. June 29, 2021. *2020-21 Grand Jury Report. Santa Cruz County Agricultural Commissioner's Office Can Get By with a Little Help from Its Friends*. Accessed March 20, 2024. [https://www.santacruzcountyca.gov/Portals/0/County/GrandJury/GJ2021\\_final/7\\_AgComm\\_Report.pdf](https://www.santacruzcountyca.gov/Portals/0/County/GrandJury/GJ2021_final/7_AgComm_Report.pdf)
5. 2020-2021 Santa Cruz Civil Grand Jury. June 29, 2021. *2020-21 Grand Jury Report. Santa Cruz County Agricultural Commissioner's Office Can Get By with a Little Help from Its Friends*. Accessed March 20, 2024. [https://www.santacruzcountyca.gov/Portals/0/County/GrandJury/GJ2021\\_final/7\\_AgComm\\_Report.pdf](https://www.santacruzcountyca.gov/Portals/0/County/GrandJury/GJ2021_final/7_AgComm_Report.pdf)
6. California Department of Pesticide Regulation. March 1, 2024. "Statewide Pesticide Notification System (SprayDays California)." *cdpr.ca.gov*. Accessed March 20, 2024. [https://www.cdpr.ca.gov/docs/pesticide\\_notification\\_network/](https://www.cdpr.ca.gov/docs/pesticide_notification_network/)
7. Confidential Grand Jury interview.
8. Confidential Grand Jury interview.
9. Confidential Grand Jury interview.
10. Santa Cruz County Housing for Health Partnership. (no date). "Housing for a Healthy Santa Cruz." *housingforhealthpartnership.org*. Accessed April 25, 2024. <https://housingforhealthpartnership.org/About/HousingforaHealthySantaCruzCounty.aspx>
11. Confidential Grand Jury document.
12. Confidential Grand Jury document.
13. U.S. Department of Housing and Urban Development. (no date). "CONTINUUM OF CARE PROGRAM." *hud.gov*. Accessed April 25, 2024. [https://www.hud.gov/program\\_offices/comm\\_planning/coc](https://www.hud.gov/program_offices/comm_planning/coc)
14. Santa Cruz County Housing for Health Partnership. (no date). "Housing for a Healthy Santa Cruz." *housingforhealthpartnership.org*. Accessed April 25, 2024. <https://housingforhealthpartnership.org/About/HousingforHealthPartnershipPolicyBoard.aspx>

15. Santa Cruz County Housing for Health Partnership. January 1, 2021. "Housing for a Healthy Santa Cruz: A Strategic Framework for Addressing Homelessness in Santa Cruz County." *housingforhealthpartnership.org*. Accessed May 5, 2024. [https://housingforhealthpartnership.org/Portals/29/hap/pdf/2021\\_HousingForHealth-Framework.pdf](https://housingforhealthpartnership.org/Portals/29/hap/pdf/2021_HousingForHealth-Framework.pdf)
  16. Confidential Grand Jury document.
  17. County of Santa Cruz Fire Department Advisory Commission. (no date). "Minutes of March 16, 2022 Meeting." *Santa Cruz County Fire Department*. Accessed April 26, 2024. [https://santacruzcountyfire.com/wp-content/uploads/2022/09/fdac\\_min\\_3-16-22.pdf](https://santacruzcountyfire.com/wp-content/uploads/2022/09/fdac_min_3-16-22.pdf)
  18. Confidential Grand Jury document.
  19. Confidential Grand Jury document.
- 

## Websites

California Department of Pesticide Regulation, Statewide Pesticide Application Notification System [https://www.cdpr.ca.gov/docs/pesticide\\_notification\\_network/](https://www.cdpr.ca.gov/docs/pesticide_notification_network/)

Housing for a Healthy Santa Cruz County Strategic Framework  
[https://housingforhealthpartnership.org/Portals/29/hap/pdf/2021\\_HousingForHealth-Framework.pdf](https://housingforhealthpartnership.org/Portals/29/hap/pdf/2021_HousingForHealth-Framework.pdf)

City of Santa Cruz FY 2024 Annual Budget  
<https://www.cityofsantacruz.com/home/showpublisheddocument/93316/638283949368870000#page=367>

---



**SANTA CRUZ COUNTY**  
Civil Grand Jury

701 Ocean Street, Room 318-I  
Santa Cruz, CA 95060  
(831) 454-2099  
grandjury@scgrandjury.org

## **Best Interest of a Child – Report on Child Protective Services**

### Perception Is Reality

---

### **Summary**

The 2023-2024 Santa Cruz Civil Grand Jury investigated the Child Protective Services (CPS) Agency since there was a perception by some Resource Families (Foster Families) that CPS in Santa Cruz County was reunifying children with their Birth Families at all costs. The investigation concluded that based on metrics it could not find any evidence to uphold this perception.

This report suggests improvements in three areas:

1. Publish outcome based metrics on the website to improve transparency. This will allay concerns of ideological bias in the decision making process by Child Protective Services.
2. Update and publish the complaint process - who gets involved at what stage and the metrics associated with it. For example, number of complaints, time to resolve them and number of complaints that get escalated to different levels.
3. Record Child Family Team meetings. This will be valuable when there is a dispute between the social worker's notes and the accounts of any other members who are involved in these meetings.

## Table of Contents

<b>Summary</b>	<b>1</b>
<b>Table of Contents</b>	<b>2</b>
<b>Background</b>	<b>3</b>
<b>Scope and Methodology</b>	<b>3</b>
<b>Investigation</b>	<b>4</b>
Limitations Accessing CPS Data	4
Origins of Perceptions of Bias	4
Lack of Data Transparency	5
Bypass Decisions Seem Arbitrary	6
Lack of Follow Up Data	6
Complaint Process Transparency	6
Team Meetings	7
<b>Conclusion</b>	<b>7</b>
<b>Findings</b>	<b>7</b>
<b>Recommendations</b>	<b>8</b>
<b>Required Responses</b>	<b>9</b>
<b>Invited Responses</b>	<b>9</b>
<b>Definitions</b>	<b>9</b>
<b>Sources</b>	<b>9</b>
References	9
Websites	10

---

## Background

The Civil Grand Jury started this investigation for the following reasons:

1. The Civil Grand Jury had received complaints from Resource Families over the past year. The complaints reflected that Santa Cruz County Child Protective Services were “reunifying” the child with Birth Parents at “all costs.” In some cases, the reunification was claimed to cause harm to children with behavioral issues.
2. CPS operations have not been reviewed by the Grand Jury since 2002-03.

CPS provides protective services and support to abused and neglected children and their families in Santa Cruz County. Services include emergency response, in-home family preservation services, family reunification services, and foster care. CPS also issues licenses for Resource Homes (formerly called foster homes) and family day care homes. In addition, the Division operates programs to prevent child abuse and domestic violence and to provide adoptions. Services are mandated by state statute pursuant to the California Welfare & Institutions Code (WIC) which defines its area of purview as

*WIC §300 (b) (1) A child that has suffered, or there is a substantial risk that the child will suffer, serious physical harm or illness as a result of any of the following:*

- (A) The failure or inability of the child's parent or guardian to adequately supervise or protect the child.*
- (B) The willful or negligent failure of the child's parent or guardian to adequately supervise or protect the child from the conduct of the custodian with whom the child has been left.*
- (C) The willful or negligent failure of the parent or guardian to provide the child with adequate food, clothing, shelter, or medical treatment.*
- (D) The inability of the parent or guardian to provide regular care for the child due to the parent's or guardian's mental illness, developmental disability, or substance abuse.<sup>[1]</sup>*

CPS is allowed to remove children from any home suspected of child endangerment. This wide-ranging authority allows staff to remove children from homes, levy allegations and refer cases for possible criminal prosecution.

As of December 31, 2023, the CPS was overseeing the welfare of 173 children - 47 of them were resident with their Birth Parents and 126 were with Resource Families.<sup>[2]</sup>

## Scope and Methodology

The scope of this investigation is to probe into the CPS process and check if there is any validity to the complaints submitted to the Grand Jury by the Resource Families (formerly known as foster families). Is there a systemic problem within the agency? Due to privacy laws, it was not possible to investigate individual cases. Therefore, the Grand Jury decided to look at the data to see if it indicates any patterns that could reflect the validity of the complaints.

The sources of information gathered for this report include:

- Interviews with CPS personnel and the public.
- Relevant articles, published reports, newspaper articles, and documents found online regarding Child Protective Services.
- The Grand Jury report of 2002-2003 - “*Family and Children’s Services*”<sup>[3]</sup>

## Investigation

The Grand Jury heard reports of unsupervised custody handoffs in dark parking lots with no CPS personnel in attendance. There was also a complaint of the child being returned to the Birth Parents from a Resource Family who had not achieved the level of stability required for reunification.

The Grand Jury noticed a common theme with many of the complaints. They include:

1. **Failure to Apply Bypass Criteria**<sup>[4]</sup>: Cases consistently show decisions prioritizing reunification over children's well-being, with social workers failing to consider established criteria meant to protect children at risk.
2. **Visitation Conflicts**: Frequent disputes arise around visitation schedules, particularly when children express fear or resistance.
3. **Trauma from Disruption**: Abrupt removals from stable foster placements create significant emotional distress for children. Hand-offs are not always warm, and lack of compassion was a constant theme.
4. **Potential Risk of Reunification**: Concerns are raised about reuniting children with potentially harmful Birth Parents who haven't addressed the issues that led to their removal.
5. **Social Worker Conduct**: Complaints of insensitive treatment, intimidation, and potentially falsified records highlight possible misconduct by social workers.<sup>[5] [6] [7] [8]</sup>

## Limitations Accessing CPS Data

The whole CPS process is protected by privacy laws and therefore no one from the outside (except the CPS staff and the court system) have access to the proceedings or documents. Therefore, the Grand Jury cannot investigate individual complaints. The Grand Jury could only look at the long term trend using data collected over the past ten years. After listening to and reading the complaints, the Grand Jury decided to interview CPS staff to understand if there is data available that can show any pattern pointing to a systemic bias. It was not easy to find the relevant staff in CPS to talk to about the CPS process since there is no organizational chart listed on the website. One of the interviewees acknowledged the shortcoming of not listing the organization chart on the website and promised that it will be corrected soon.<sup>[9]</sup>

## Origins of Perceptions of Bias

In public welfare systems such as CPS, generally the children who are removed from the Birth Families tend to come from a lower socioeconomic class. The Resource



Families tend to come from a higher socioeconomic background. In the past, the CPS system was thought to be biased towards the Resource Families. Yet the current law tends to lean towards equity which leads to some staff feeling that they should “over calibrate” towards the Birth Families. The staff strongly agrees that family reunification is of the highest priority unless there is a danger to the child. This inherently creates a conflict since during the reunification process, the Resource Families feel that their voices are not heard.<sup>[10][11]</sup>

The Jury learned that what’s in the best interest of a child is extremely hard to determine and can be subject to some intense debates. Is the system trying to over-correct this past problem? This can also lead to a perception problem for all concerned parties.<sup>[10][11]</sup>

### Lack of Data Transparency

While the CPS website provides information about their services, there is no data regarding the outcome of their services. Also, the public cannot get insight into the volume of services. The specific statistic that the Grand Jury looked at was “how many children and teens exiting” the CPS system. The [California Welfare Indicators Project](#)<sup>[12]</sup> maintained by University of California holds data related to reunification. (See Figure 1 below.) In contrast, none of the relevant data was available from Santa Cruz County’s public [website dedicated to CPS](#).<sup>[13]</sup>

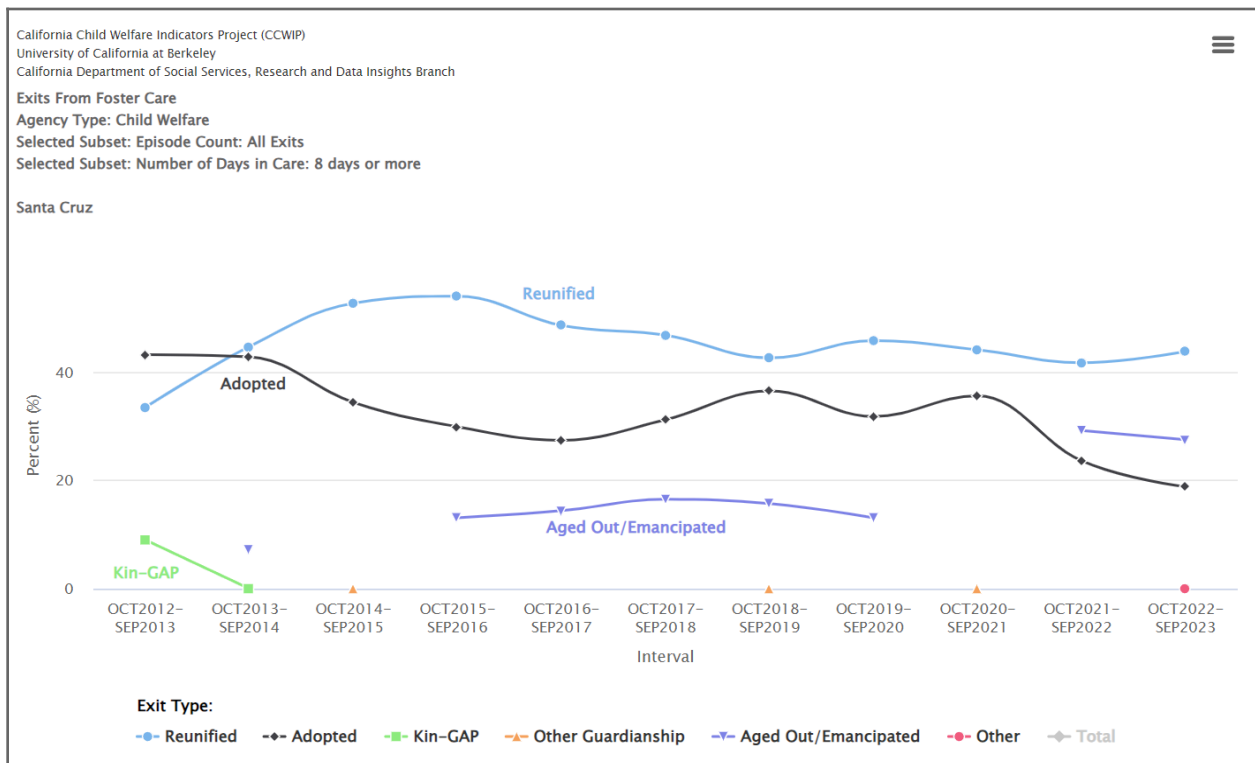


Figure 1. Data from the California Welfare Indicators Project for Santa Cruz County.<sup>[14]</sup>

The blue line in Figure 1 represents the percentage of children and teens reunited with their Birth Families. Between 2012 and 2023, that percentage varied from 33% in 2013

to 43% in 2023 and peaked at 54% in 2016. The percentage graph or the actual number graph did not show any particular trend towards reunification or a bias against it.

### ***Bypass Decisions Seem Arbitrary***

Resource Families believed that the “bypass” criteria were not being applied in the County in some instances. The goal of CPS is to reunite with Birth Families as long as there is no danger to the child. Towards that goal, the CPS provides various programs for Birth Families to become eligible for reuniting with the child. The “bypass” refers to a situation where reunification services are not offered to parents after their child has been removed from their care. This means CPS won't work towards reuniting the child with the birth parents and will instead focus on finding a permanent placement for the child, such as adoption or guardianship.

Some examples where the “bypass” is applied are:

- Chronic use of alcohol or drugs
- Parent incarcerated or violent felony
- Severe physical abuse of child under 5
- Physical / sexual abuse again
- Prior termination of reunification services

For a full list see “Bypass-at-a-Glance” in the Websites section below.<sup>[4]</sup>

The complainants felt that in some cases the “bypass” criteria should have been applied. In their opinion, if the “bypass” criteria were applied then the child would have never been a candidate for reunification and therefore would have avoided the emotional trauma for the child and the Resource Families.

Due to confidentiality restraints, the Grand Jury was unable to investigate individual cases to review how criteria were applied. However, for the past two years, thirteen cases were found to be eligible for bypass in Santa Cruz County. CPS applied the bypass criteria in seven of those cases. The children in these cases then became eligible for permanent placement.<sup>[15]</sup>

### ***Lack of Follow Up Data***

At the present time, follow up by CPS happens only up to 18 months after the child is reunited with the Birth Family. This may not be enough time to determine the effects of reunification. In an interview with a complainant, the Grand Jury was told that five years after reunification, a child they had fostered was experiencing behavioral problems at school and was suffering from depression.<sup>[16]</sup>

### ***Complaint Process Transparency***

There is no documentation of the complaint process in Santa Cruz County, either on the website or available through CPS personnel interviews.<sup>[17]</sup> Currently complaints are lodged with the social worker. Supervisors are not advised of complaints unless the social worker brings the issue to the supervisor. Furthermore, there is no data available on the number of complaints received year by year and their resolution status.

The 2002-2003 Grand Jury report titled “*Family and Children’s Services*,”<sup>[18]</sup> recommended, “The County Board of Supervisors create a Citizen Review Board as recommended by the Little Hoover Commission.”<sup>[19]</sup> This Board should review child welfare services and make recommendations to the Board of Supervisors, local agencies and others regarding improvements. Membership should include representatives from education, foster care youth, health care, civic and business.

The Citizen Review Board should hire a Child Welfare Inspector General with the authority to recommend improvements. Responsibilities should include enforcement of rules for CPS, reform of the foster care program, and building a volunteer support network. The Citizen Review Board can look into these unresolved complaints to identify any systemic issues. This will also eliminate any appearance of the conflict of interest in the eyes of the complainants.

### **Team Meetings**

Throughout the reunification process, multiple meetings, generally referred to as Child Family Team (CFT) meetings, take place. The CFT includes everyone who has an interest in the child: CPS staff, birth parents, resources parents, social workers, doctors, psychiatrists, teachers, and possibly more. Notes about the meeting are produced by a social worker after conclusion of the meeting. The notes are available to all the participants. The Grand Jury found some Resource Families felt social workers’ notes did not accurately reflect what happened during the meetings. Due to the nature of these meetings, they are not recorded. Therefore, there is no way to resolve these differences in perception to the satisfaction of all parties.

### **Conclusion**

This investigation was undertaken as a result of complaints received by the Grand Jury. Complainants believed that CPS policies regarding child safety were not being followed. The investigation was hampered by data that was largely insufficient or unobtainable. This results in Resource Families’ perception that child safety is not being prioritized. The Grand Jury was not able to substantiate this claim based on the available data reviewed. The Grand Jury remains concerned that this perception will persist unless there is more transparency of both data and operations. This perception may prevent a sufficient number of Resource Families from signing up to provide this valuable service which is critical for the protection of neglected and abused children in our community.

### **Findings**

- F1.** It is hard to contact the relevant people in CPS to get information since there is no organizational chart published on the website. People don’t know who they can contact for specific issues.

- F2.** The lack of readily available CPS data metrics accessible on the Santa Cruz County website can lead to perceptions based on individual experiences. Perception becomes reality if data is not provided which can lead to public distrust of the system.
- F3.** Lots of data is available on the California Welfare Indicators Project maintained by University of California for the whole state of California for each county. It is hard to sift through and find relevant data for Santa Cruz County.
- F4.** There is no formal complaint process. You can lodge a complaint only with your social worker. When the complainant is not happy with the resolution, complaints are lodged with the Grand Jury. This is ineffective and results in a lack of accountability or follow up on the complaint.
- F5.** Child Family Team members often dispute the accuracy of "official" meeting notes taken by the attending CPS Social Workers, leading to lack of trust between team members.
- F6.** The lack of data makes it difficult to determine whether bias is present either to Resource Families or Birth Families to the detriment of the child.

## Recommendations

- R1.** The Grand Jury recommends that CPS publish an organizational chart by October 31, 2024. (F1)
- R2.** The Grand Jury recommends that CPS publish outcome based metrics, such as number of children moved to Resource Families, number of Resource Families available in the County, number of successful and failed reunifications, and identify success metrics for children under care, on an annual basis on their website to improve transparency by December 31, 2024. (F2, F3, F6)
- R3.** The Grand Jury recommends that CPS create and publish the complaint process. This published process should include a supervisor not vested in the outcome who can review the complaints. This process and the accompanying metrics like number of complaints and resolution times should be made available to the public by December 31, 2024. (F4)
- R4.** The Grand Jury recommends that the County Board of Supervisors establish a Child Welfare Oversight board and an Inspector General similar to what the 2002-2003 Grand Jury recommended. This could help resolve bias, impropriety and undue influence complaints and will help provide transparency and increase trust in the CPS process. The Grand Jury recommends that the planning for this should start by December 31, 2024, with the board fully implemented six months after the planning is finished. (F4, F5)
- R5.** The Grand Jury recommends that the CPS department begin to record the Child Family Team meetings by the end of December 31, 2024. (F5)

## Required Responses

<i>Respondent</i>	<i>Findings</i>	<i>Recommendations</i>	<i>Respond Within/ Respond By</i>
Santa Cruz County Board of Supervisors	F1–F6	R1–R5	90 Days September 16, 2024

## Invited Responses

<i>Respondent</i>	<i>Findings</i>	<i>Recommendations</i>	<i>Respond Within/ Respond By</i>
Director, Santa Cruz County Child Protective Services	F1–F6	R1–R3, R5	90 Days September 16, 2024
Director, Santa Cruz County Human Services Department	F1–F6	R1–R3, R5	90 Days September 16, 2024

## Definitions

- **CPS:** Child Protective Services
- **Resource Families:** Formerly referred to as Foster Families.
- **Birth Parents:** Biological parents of the child
- **Bypass Criteria:** Criteria used to “bypass” Birth Parents reunification services and move the child to a permanent placement<sup>[4]</sup>

## Sources

### References

1. FindLaw Staff. January 1, 2023. *FindLaw.com*. California Welfare & Institutions Code SS300. “California Code, Welfare and Institutions Code - WIC § 300.” Accessed December 13, 2023.  
<https://codes.findlaw.com/ca/welfare-and-institutions-code/wic-sect-300/>
2. Confidential Grand Jury document.
3. Santa Cruz County Grand Jury Report for 2002-2003. June 30, 2003. “Family and Children’s Services.” *santacruzcountycalifornia.gov/grandjury*. Accessed March 13, 2024.  
<https://www.santacruzcountycalifornia.gov/grandjury/GJ2003/Content/4-1CPS.htm>
4. Shawna Schwarz. March 25, 2024. “Bypass-at-a-Glance.” *courts.ca.gov*. Accessed March 25, 2024.  
<https://www.courts.ca.gov/documents/BTB25-PreConJDLP-03.pdf>
5. Confidential Grand Jury document.
6. Confidential Grand Jury document.

7. Confidential Grand Jury document.
8. Confidential Grand Jury document.
9. Confidential Grand Jury interview.
10. Confidential Grand Jury interview.
11. Confidential Grand Jury interview.
12. California Child Welfare Indicators Project. March 25, 2024. "Exits from Foster Care." *ccwip.berkeley.edu*. Accessed March 25, 2024.  
<https://ccwip.berkeley.edu/childwelfare/reports/Exits/MTSG/r/ab636/>
13. County of Santa Cruz Human Services Department staff. March 25, 2024. "Family and Children's Services Division." *santacruzhumanservices.org*. Accessed March 25, 2024.  
<https://santacruzhumanservices.org/FamilyChildren>
14. California Child Welfare Indicators Project. April 24, 2024. "Data from the California Welfare Indicators Project for Santa Cruz County." *ccwip.berkeley.edu*. Accessed April 24, 2024.  
<https://ccwip.berkeley.edu/childwelfare/reports/Exits/MTSG/r/ab636/>
15. Confidential Grand Jury document.
16. Confidential Grand Jury interview.
17. Confidential Grand Jury interview.
18. Santa Cruz County Grand Jury Report for 2002-2003. June 30, 2003. "Family and Children's Services." *santacruzcountyca.gov/grandjury*. Accessed March 13, 2024.  
<https://www.santacruzcountyca.gov/grandjury/GJ2003/Content/4-1CPS.htm>
19. California's Independent Voice for Reform staff. February 15, 20023. "Still in Our Hands: A Review of Efforts to Reform Foster Care in California." *ihc.ca.gov*. Accessed April 11, 2024.  
<https://ihc.ca.gov/report/still-our-hands-review-efforts-reform-foster-care-california/>

---

## Websites

SDM-Policy-Procedure-Manual-2021

<https://www.cdss.ca.gov/Portals/9/Child-Welfare-Programs/Child-Welfare-Protection/SDM-Policy-Procedure-Manual-2021.pdf>

What is Child Protective Services

<https://www.santacruzhumanservices.org/FamilyChildren/ChildProtectiveServices/WhatIsChildProtectiveServices>

Bypass-at-a-Glance

<https://www.courts.ca.gov/documents/BTB25-PreConJDLP-03.pdf>

California Child Welfare Indicators Project - <https://ccwip.berkeley.edu/>

---



**SANTA CRUZ COUNTY**  
Civil Grand Jury

701 Ocean Street, Room 318-I  
Santa Cruz, CA 95060  
(831) 454-2099  
grandjury@scgrandjury.org

## **Victims of the CZU Wildfire – Four Years Later**

### **The Flame Still Burns**

**“And the flame still burns  
From a glimmer back then it lights up again in my life” Mick Jones**

---

### **Summary**

For most of our community at large, the CAL FIRE designated CZU Lightning Complex Fire of August, 2020 may be no more than a distant memory, recollected only faintly as part of our collective communal experience. It may also be that such memories we have are clouded by the intervening pandemic that touched every corner of our community. Or we may simply be thankful that this disaster did not touch our homes and families. But for many who lived through that conflagration and lost homes, it is not a distant memory but rather a continuing and ever-present reality.

It may surprise you to know that a substantial number of those who lost their homes simply walked away without rebuilding. Many found themselves under-insured to the degree that they simply could not bear the cost to rebuild. Others were unable to rekindle their dreams because they found themselves unable to navigate a lengthy and often bewildering permitting process. And others chose not to rebuild their homes because they were unaware or uninformed that restorative resources and support were available. Almost four years later, only about one third of the homes that were destroyed are being rebuilt.

The Findings and Recommendations contained in this report highlight the need for improved disaster preparedness. That means more readily accessible disaster recovery information, improved support from county government agencies and the need for ongoing outreach to our community to prepare us for the next disaster event. We will be challenged again by natural disasters, be they borne of earth, wind, fire, or flood.

We can do better and we can meet that challenge together.

## Table of Contents

<b>Summary</b>	<b>1</b>
<b>Table of Contents</b>	<b>2</b>
<b>Background</b>	<b>3</b>
<b>Scope</b>	<b>3</b>
<b>Methodology</b>	<b>4</b>
<b>Investigation</b>	<b>4</b>
Fire Victims' Experiences	4
Board of Supervisors	6
Board Oversight of Disaster Preparedness	7
Lack of Communication with CAL FIRE	7
Board of Supervisors' Fire Victim Support	7
Long Term Recovery Group Support of Fire Victims	8
Role of the Office of Response, Recovery and Resilience	9
Services Delivered by the Recovery Permit Center	9
RPC and Victim Interaction with County Planning	11
Obstacles to Rebuilding	11
Insurance Issues	12
Current Rebuild Status	14
<b>Conclusion</b>	<b>15</b>
<b>Findings</b>	<b>15</b>
<b>Recommendations</b>	<b>16</b>
<b>Commendations</b>	<b>16</b>
<b>Required Responses</b>	<b>17</b>
<b>Invited Responses</b>	<b>17</b>
<b>Sources</b>	<b>18</b>
References	18
Site Visits	23
<b>Appendix A – CZU and RPC Maps &amp; RPC Dashboard</b>	<b>24</b>
<b>Appendix B – Recovery Permit Center Geologic Hazard Workflow</b>	<b>25</b>
<b>Appendix C – After-Action Report Improvement Plan</b>	<b>26</b>



## Background

In the early morning of August 16, 2020, a thunderstorm occurred that produced thousands of lightning strikes, resulting in hundreds of fires throughout California. There were over 300 lightning strikes in Santa Cruz and San Mateo Counties. These combined with dangerous drought conditions unleashed the largest fire in Santa Cruz County history. This massive wildfire, dubbed the CZU Lightning Complex Fire, had devastating consequences for many of the residents of Santa Cruz Supervisorial Districts 3 and 5. The fire consumed 86,000 acres and nearly 1,000 structures, of which 697 were single family homes, and caused the tragic death of one Santa Cruz County resident.<sup>[1] [2] [3]</sup> See Figure 5 for a map of the fire zone in [Appendix A](#).

Over 77,000 people were evacuated and nearly all of Big Basin Redwoods State Park was burned. Thirty-seven days after the fires began, on September 22nd, CAL FIRE reported it had gotten control of the CZU Lightning Complex Fire. By the end, the cost to fight this fire reached more than \$68 million. The damage, loss of life, disruption from evacuation, and efforts to support the victims of the fire were well publicized during the event. On October 6, 2020 the Santa Cruz County Board of Supervisors (BoS) voted to create the Office of Response, Recovery and Resilience (OR3) to respond to not only the CZU August Lightning Complex fire, but also to future disasters.<sup>[4]</sup>

Past Grand Jury reports noted that nothing was yet published about the performance of our government leadership and agencies during the CZU fire. Yet they remain accountable for assisting and supporting those fire victims that lost their homes and ensuring readiness for the next disaster event.

OR3 is developing an emergency plan. It is currently being reviewed by the state office of Emergency Services (CalOES). The Grand Jury does not yet have access to the plan.<sup>[5]</sup>

Less than a third of all homes lost to the CZU Lightning Complex Fire have been rebuilt in the intervening three and half years. Not only has the CZU Lightning Fire left residents without homes, but it also left many residents angry and frustrated about the response and performance of their local government agencies. Most residents are grateful for the work done by our county fire districts, local volunteer firefighters and selected government agencies and nonprofits. However, many residents are also exasperated and need to have their voices heard about the performance gaps of local government and agencies during the recovery and rebuilding process which continues to this day.

## Scope

The function of the Grand Jury is to examine effectiveness and efficiency of city and county governments as well as special districts. The scope of this report encompasses the effectiveness of county elected leaders and county agencies in response to the CZU Lightning Complex Fire. We sought to answer these key questions about leadership, process, and communications:

- What were the major obstacles faced by those fire victims that chose to rebuild their homes?

- How efficiently and effectively did county government and agencies respond to the needs of the CZU fire victims with respect to the recovery and rebuilding process?
- Has the county government and its agencies stepped up and demonstrated oversight and accountability with respect to the CZU Fire recovery and rebuilding process?

## Methodology

The Grand Jury requested and examined a wide range of documents from the county agencies involved in the CZU Lightning Complex Fire and its aftermath. The Jury researched media articles, online publications, community meetings, prior grand jury reports, and examined the practices of other counties that experienced devastating wildfire events. Furthermore, the Jury toured areas affected by the fire in Boulder Creek.

Perhaps most importantly, extensive interviews were conducted with fire victims, including those who lost homes, those who were able to rebuild and those who were unable to do so. Additionally, the Grand Jury sought out the stories and experiences of first responders, building trades professionals, and community advocates who demonstrated thoughtfulness, courage, and tenacity under adverse conditions.

However, the foundation of our investigation rests upon interviews conducted with government and county agency officials. The Grand Jury evaluated this group for their past and current levels of efficiency and disaster preparedness and for their response to this devastating community event.

It is our overriding belief and understanding that public officials and agency staff have an obligation to serve its citizens. This obligation entails ensuring that risks are understood and managed and that resources are maximized within financial constraints. This approach proactively mitigates foreseeable risks and ensures that the needs and concerns of the public are recognized and satisfied.

## Investigation

As the Grand Jury began its investigation into the CZU Lightning Complex Fire, it quickly became apparent that emergency preparedness and public education related to natural disasters were lacking.<sup>[6]</sup><sup>[7]</sup> However, the most alarming area of inquiry became the obstacles to recovery and rebuilding that continue to plague and frustrate fire victims. This report will detail the role that each party played in the CZU fire story and the ensuing recovery efforts.

### ***Fire Victims' Experiences***

Those whose lives were upended by the fire are the special focus of this report. As such, we start by discussing their recovery odyssey. The Grand Jury interviewed five CZU fire victims. Jurors also read stories of other victims online.<sup>[8]</sup><sup>[9]</sup> These victims' stories cover the spectrum of recovery experiences. The Grand Jury found that on one end of the recovery spectrum were victims who had completed the rebuild process,

while the other end of the spectrum held those who decided to sell their parcel and move out of the mountains. Many of the victims in the latter group were senior members of our community who had lived in their homes for many years and simply had neither the energy nor the heart to rebuild. Most victims fell somewhere in between. See Figure 1 for a reminder of the devastation caused by the CZU fire.



**Figure 1:** Bonny Doon - Destroyed home, photo taken during the CZU fire.<sup>[10]</sup>

Those that chose to rebuild their homes encountered a mountain of obstacles that many still struggle with today. The majority of fire victims were either uninsured or underinsured.<sup>[11][12]</sup> The claims of those who were insured were processed slowly. Delays in insurance payouts meant that while victims waited, the cost of rebuilding rose dramatically. When insurance payouts were finally made, funds were no longer enough to cover the cost to rebuild their home.<sup>[13]</sup> See Figure 2 below for an example of a home destroyed in the fire, with no action to rebuild taken as of this report.



**Figure 2:** Boulder Creek Destroyed Home - photo taken December 15, 2023.<sup>[14]</sup>

Fire victims did begin to get some relief when the BoS created the Recovery Permit Center (RPC) in December 2020.<sup>[15][16]</sup> Many reported that the RPC staff treated them with empathy and were responsive to their needs. A later section of this report will go into detail about the RPC organization and the preclearance process designed specifically for fire victims.

### ***Board of Supervisors***

The Grand Jury interviewed board members for this report about their responses to the CZU Fire and their continued efforts on behalf of fire victims.<sup>[17][18]</sup>

## **Board Oversight of Disaster Preparedness**

In addition to being critical of the County's initial response to the fire, victims also expressed doubt about the County's preparedness for future fires. The BoS is in the position to advocate for the community by holding agencies accountable and to prepare for an uncertain and dangerous future. Santa Cruz County will undoubtedly experience future natural disasters and it is critical that County agencies, under the purview of the Board of Supervisors, be better prepared for the next major wildfire.<sup>[7] [19]</sup>

## **Lack of Communication with CAL FIRE**

The lack of coordination and/or communication between CAL FIRE and local volunteer fire departments likely resulted in unnecessary loss. This Grand Jury heard anecdotal testimony from multiple victims about local fire volunteers being discouraged from responding to the fire or being outright ordered by CAL FIRE to stand down.<sup>[20] [21] [22]</sup>

The tragic death of Last Chance resident, Tad Jones, is partly attributed to the CAL FIRE evacuation order coming late to the Last Chance community. He left the designated evacuation gathering point when no help came and paid the ultimate price.<sup>[3]</sup>

A prior 2020-2021 Grand Jury report issued soon after the CZU Fire expressed concerns over the response by CAL FIRE. That report found that the BoS had not held CAL FIRE accountable for their lack of analysis of their performance in the CZU Lightning Complex Fire. The report also found that no provision existed in the current contract between the County and CAL FIRE to develop after-action reports during the non-fire season.<sup>[23]</sup>

In December 2021, OR3 published the After-Action and Improvement Plan in response to the CZU Fire. However, CAL FIRE doesn't appear to have actively participated in the development of the report as the report was focused on internal County operations. This is unfortunate as CAL FIRE participation could have provided a unique perspective and valuable input.<sup>[24]</sup> Refer to [Appendix C](#) for the After-Action Report Improvement Plan.

## **Board of Supervisors' Fire Victim Support**

In September of 2021, the BoS passed a Resolution that grants variances for CZU fire victims that is set to expire September 21, 2024.<sup>[25]</sup> These variances allowed those who wished to rebuild their home to take advantage of waivers in the permit process if they rebuilt "in-kind". A new home was considered "in-kind" if it were built in the same spot as the original home and if it added no more than 400 square feet. This resolution was a major exception to the building code and many victims took advantage of this exception and so were able to avoid some of the preclearance requirements.

The BoS was instrumental in establishing both the OR3 and the Recovery Permit Center (RPC).<sup>[26] [27]</sup> OR3 was created in order to improve our community's emergency response, elevate our disaster awareness, and prepare for increases in extreme weather due to climate change. The RPC was created for the purpose of providing essential permitting services to fire victims. The establishment of these organizations was instrumental in streamlining the rebuilding process for CZU Fire victims.

The BoS also passed a Resolution on March 14, 2023 requiring County staff to notify permit applicants when the status of their permit applications changed. It also stipulated that application decisions should take no more than two weeks for “uncomplicated” cases.<sup>[28] [29]</sup>

### ***Long Term Recovery Group Support of Fire Victims***

The Long Term Recovery Group (LTRG) is a collaboration of nonprofit, faith-based, local, state, and national organizations. These organizations work together to share information and resources to help address the needs of individuals and families affected by the CZU Lightning Complex Fires. LTRG also works in concert with a number of community-based organizations including Catholic Charities, Community Bridges, Boulder Creek Parks and Recreation, Valley Churches United, and the Community Action Board.<sup>[30] [31]</sup>

The LTRG is currently supporting 30-40 families who are victims of the CZU Fire with case management services. Funding and services provided by Catholic Charities and Community Bridges included clothing, kitchen kits, laundry services, and various household items. The LTRG also hosts community events for fire victims.<sup>[32]</sup>

Longer-term services provided by the LTRG include preclearance process assistance, septic upgrades, and reestablishment of electricity. The LTRG has also provided water tanks, contractor services, tiny houses and yurts, transportation of modular homes, and bridge funding.<sup>[33]</sup> The LTRG is collaborating with Mennonite Disaster Services to build four to five homes per year over a three-year period for families in Santa Cruz County who lost their homes in the CZU Fire and who are uninsured or severely under-insured. This represents roughly 10% of the homes being rebuilt.<sup>[34] [35]</sup>

In spite of the important services the LTRG has provided, the results of a CZU fire victim survey indicated that more than half of the respondents were not aware of the group and so did not access their services. The LTRG did not have a website until March 2024 but was rather reliant on brochures made available at the RPC office, the LTRG link on the RPC website, and their Facebook page to publicize the services it offers.<sup>[36] [37] [38]</sup> In March of 2023 the LTRG went live with their website and will be better able to publicize their services going forward.<sup>[39]</sup>

The Grand Jury was impressed by the breadth and volume of services provided by the LTRG, and was especially impressed by how effectively the LTRG services complemented those provided by the County’s RPC. One public official is quoted as saying: “The Long Term Recovery Group has been a godsend.”<sup>[40]</sup>

Unfortunately, Community Foundation funding for the LTRG runs out mid-November 2024. Without additional funding the LTRG will go into “sleep mode” if there is no new disaster and as the need of CZU fire victims lessens.<sup>[41] [42] [43] [44]</sup>

Based upon the testimony received, the Grand Jury believes that present and future disaster preparedness would be well served by the creation of a public-private partnership between the LTRG and OR3. The purpose of such a partnership would be to provide continuing case management assistance and support to current and future

disaster victims. The LTRG is very willing to continue collaborating with government entities and other community groups to help disaster victims.<sup>[45]</sup>

Other counties have an ombudsman on staff to provide guidance to community members for difficult to navigate topics, such as water quality and building permits.<sup>[46]</sup> An ombudsman within this partnership could provide ongoing natural disaster preparedness support and information in a number of ways, including:

- Soliciting volunteers to assist victims with limited resources in getting started in the preclearance process.
- Conducting volunteer orientations and providing training.
- Providing the community with an informational overview of current building costs in order to assist community members in their assessment of acquiring insurance policies adequate to rebuild “in kind” in the event of a future disaster event.
- Providing case management services to guide disaster victims through the rebuilding process including debris clearance, insurance and obtaining required county permits.

### ***Role of the Office of Response, Recovery and Resilience***

The County Office of Response, Recovery and Resilience was created to improve the community’s emergency response, elevate disaster awareness, and prepare for increases in extreme weather due to climate change. It was modeled after the County of Sonoma’s Office of Recovery and Resiliency.<sup>[4] [47]</sup>

The purpose of the Office of Response, Recovery, and Resiliency, otherwise known as OR3, is threefold:

- A **Response** function to serve as the emergency management office including disaster preparedness for residents, development of written guidelines for emergency preparedness, response, recovery and mitigation for disasters and operation of the Emergency Operations Center (EOC).
- **Recovery** support efforts for disasters that have occurred, which includes the Long Term Recovery Group services, Recovery Permit Center services, and debris flow and removal.
- **Resilience** which includes the County’s resilience planning for future disasters, sustainability, and climate change.

Much of OR3’s initial focus has been on recovery due to the CZU Lightning Complex Fires. Their role is getting residents who lost their homes resettled and rebuilt as soon as possible after any disaster.<sup>[48]</sup> See Figure 6 for the RPC map and dashboard in [Appendix A](#).

### ***Services Delivered by the Recovery Permit Center***

Prior to the establishment of OR3 and the RPC, the County Planning Department, now part of Community Development and Infrastructure (CDI), was the only department to deal with the influx of building permit queries from CZU Fire victims. But Planning staff

was down 30% from 22 years ago and their workload was up 30%.<sup>[49]</sup> Therefore, the Planning Department was not equipped to handle the additional workload.

Victim interviewees unanimously agreed that contact with the Planning Department during this time was extremely frustrating and that the department was not able to provide any meaningful assistance. Victims, already traumatized by the loss of everything they owned, had negative interactions with the Planning Department. They reported feeling hopeless and/or ready to abandon their plans to rebuild.<sup>[50]</sup> With the establishment of the RPC, victims found a helping hand. Both victims and building professionals alike found working with the newly-established RPC to be more user friendly.<sup>[51]</sup>

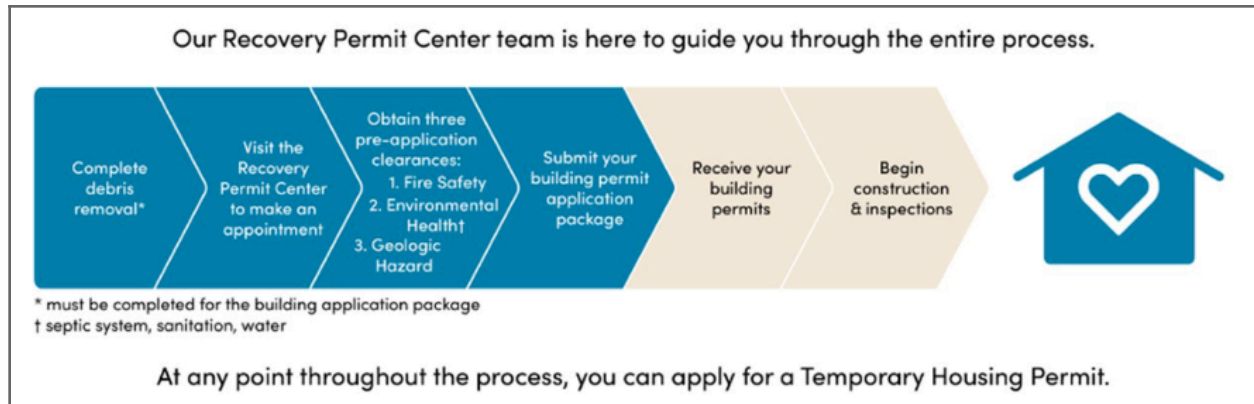
The RPC was created by the BoS on November 17, 2020, three months after the CZU fire. It acts as the County's "one-stop" center with the goal of expediting and guiding the building permit and rebuilding process.<sup>[52]</sup> After the CZU fire, our County reached out to other Counties who had also experienced large wildfires. Based on a recommendation from Sonoma County, Santa Cruz County contracted with 4Leaf, Inc. to manage the county Recovery Permit Center. The RPC was needed due to staffing constraints within the Santa Cruz County Planning Department.<sup>[53]</sup> And 4Leaf has extensive disaster recovery experience throughout the country which was desperately needed.

The contract term was initially set to run through June 30, 2023, and was extended to June 30, 2024. Another extension to provide service through December 31, 2024 is being considered by the BoS.<sup>[54]</sup> <sup>[55]</sup>

Testimony offered by fire victims and building professionals reflected the near unanimous approval of their services. The RPC dramatically reduced the time to obtain a building permit.<sup>[56]</sup> <sup>[57]</sup> The streamlined CZU Fire Victim rebuild process starts with three preclearances that must be obtained prior to submission of a building permit application.<sup>[58]</sup> The RPC team identifies and works through technical issues with septic systems, water, fire access and potential geologic hazards in the Pre-Clearance phase. A site plan is required as part of the Pre-Clearance application. The three required Pre-Clearances are:

- Environmental Health: The environmental health Pre-Clearance verifies the permitted septic system and water source for the property. The Pre-Clearance will determine the specific water and septic requirements for a proposed project.
- Fire Access: The RPC sets up a site visit to determine if the property has site access that meets standards for emergency services access, and if driveways and bridges meet applicable codes.
- Geologic Hazards: The geologic hazard Pre-Clearance is a pre-application evaluation of potential geologic hazards that may affect a rebuild proposal. Any reports required by the Pre-Clearance must be reviewed and accepted by County staff prior to issuance of the geologic hazard Pre-Clearance to apply for a building permit.





**Figure 3:** Recovery Permit Center - Steps to Rebuild<sup>[59]</sup>

As shown in Figure 3, once the three Pre-Clearance hurdles are completed, the building permit application may be submitted. Initial plan review is one week, with resubmitted plans being reviewed within five days. The building permit is issued once the plans are approved.<sup>[60] [61]</sup>

### ***RPC and Victim Interaction with County Planning***

Transitioning to the present, the process of winding down the RPC and passing off CZU Fire victims' cases from the RPC to the Planning Department is underway. The Grand Jury has received testimony that collaboration between the RPC and County Planning could be improved. Staffing changes in both the Planning Department and in the Recovery Permit Center (4Leaf staff) led to some delays in handling requests due to inconsistent processes between RPC and the Planning Department.<sup>[62] [63]</sup> There are now weekly coordination meetings between the two (2) departments.<sup>[64]</sup> Testimony showed that the initial phase of handing off RPC cases to the Planning Department is not going as smoothly as it should.<sup>[65] [66]</sup> 4Leaf appears to lack confidence in how CZU Fire victim cases will be handled by the Planning Department.<sup>[67] [68]</sup>

4Leaf and Planning Department communication is poor. In addition, the physical distance between the RPC, located in the County building basement, and the Planning Department, located on the 4th floor, hinders communication. Planning Department staff state that they would have preferred to have the RPC located in a space adjoining their offices.<sup>[67]</sup>

So, what does the future of the relationship between the Planning Department and RPC hold for the 158 fire victim permits still in construction as of April 10, 2024? Testimony received from Planning staff indicated that they believe the RPC to be a “cool” model.<sup>[69] [70]</sup> They plan to adopt RPC's expedited Pre-Clearance model.

### ***Obstacles to Rebuilding***

CZU Fire victims faced a myriad of problems while going through the permit and rebuilding process. The following is a summary of each of the major obstacles to rebuilding after the fire.

## **Insurance Issues**

The majority of victims of the CZU Fire were either underinsured or had no fire insurance. For those who had insurance, the time to process their claims and to receive payouts took months. Some victims interviewed for this report in early 2024 were still waiting to receive their final payout. Meanwhile, as victims waited for their claims to be processed, the cost of building a home skyrocketed during the Covid pandemic. As reflected in a 2022 RPC survey of fire victims, costs rose from \$200-\$300 per square foot to \$700-\$800 per square foot.<sup>[71][72]</sup> Preexisting policies did not account for this increased cost.

Some victims had enough fiscal resources to begin the process before receiving insurance payouts. In some cases, the unanticipated cost of obtaining Pre-Clearance studies quickly depleted their funds and they decided to cut their losses and abandon plans to rebuild.<sup>[73]</sup> A few were more fortunate and were able to rebuild but still experienced out of pocket expenses waiting for their insurance payouts. One victim reported, "Right now I'm out of pocket a little over \$1.2M on this build." At the time of the interview this homeowner was still waiting for a final insurance settlement.<sup>[74][75]</sup>

## **Shortage of Building Professionals**

The COVID-19 pandemic resulted in building professionals being hired for renovations driven by California's shelter in place orders during the pandemic. As a result, CZU Fire victims struggled to engage the contractors, architects, and engineers necessary to begin their rebuilding process. The lucky people who were able to engage professional assistance were then able to avoid some of the pitfalls of the permit process and make good progress. In the early aftermath of the fire, those who chose to go at it alone ran into unfamiliar permit requirements and often incurred many thousands of dollars in costs unnecessarily. They sometimes had to scrap their early work, and go back to square one.<sup>[76][77]</sup>

## **Required Pre-Clearances**

As stated earlier, CZU fire victims were required to obtain three types of Pre-Clearances in order to be issued a building permit.

- Environmental Health
- Fire Access
- Geologic Hazards

The process of obtaining the three Pre-Clearance permits could be arduous and expensive depending on the geography of any given parcel.<sup>[78][79]</sup> The typical costs include:

- Pre-Clearance permit, \$350
- Soil reports, \$6,500
- Survey, \$3,000
- Septic study, \$7,500
- Structural engineer, \$3,000-\$5,000

But these were the known costs going into the Pre-Clearance process. Unfortunately, the pre-clearance reports often showed a property did not meet the standards required to pass inspections. Alternatively, if they wanted something other than rebuilding “in kind,” the cost to come up to code could cost many tens or even hundreds of thousands of additional dollars.<sup>[80]</sup>

### **Environmental Health**

This Pre-Clearance concerns the septic system on the property. Septic system upgrades before the fire were approximately \$30,000-\$40,000. After the fire the cost was \$100,000 and more. Interviewees reported that over 50% of fire victims had to put in new septic systems and 25% had to upgrade to an advanced treatment system.<sup>[81]</sup> Septic system requirements were revised and became more stringent in October 2023 when the BoS adopted the Santa Cruz County Local Area Management Program (LAMP).<sup>[81]</sup>

In one case, a retired environmental health specialist helped 50 CZU Fire survivors obtain their environmental Pre-Clearance permit. These 50 residents’ rebuilds were held up by Planning staff with poor understanding of septic regulations and environmental health ordinances. This good Samaritan worked with the County to resolve the issue so that his neighbors could carry on with their rebuilds.<sup>[82] [83]</sup>

### **Fire Access**

The Grand Jury heard from interviewees that the fire department stringently applied the state requirements that a firetruck be able to turn around on the property. The Grand Jury also heard testimony about cases where fire trucks had adequate room to turn around but the road didn’t meet the County Fire District requirement. The minimum requirement to pass the Fire Pre-Clearance is a 12-foot wide access road with 12-foot wide by 35-foot-long turnouts located approximately every 500 feet.<sup>[84]</sup> Many roads and culverts were badly damaged by contractors doing debris flow clearance.<sup>[85]</sup> Needless to say, the cost of bringing roads up to fire code would be very costly. This has impacted dozens of homes in communities such as Last Chance Road.

In addition, fire codes also require 10,000 gallons of water storage on site and all homes must have a sprinkler system.

### **Geologic Hazards**

Santa Cruz County is the 15th highest landslide risk out of 3,000 counties in the United States, according to a FEMA study.<sup>[86] [87]</sup> Geologic studies and guidelines are therefore critical in protecting the safety of County residents. California now requires building foundations to be designed by a geotechnical engineer. Because geotechnical engineers will not work in a geologically hazardous area without a partnering geologist, additional costs of \$20,000-\$40,000 are incurred and the availability of these professionals is extremely limited. Most fire victims wait six months to a year for a report.<sup>[88]</sup>

On October 13, 2021 the BoS adopted the CZU Rebuild Directive, Resolution 226-2021 to facilitate rebuilding structures destroyed in the fire. It allows rebuilding replacement structures “in kind,” up to 10% or 400 square feet larger than the original destroyed structure, on the same footprint, with minimal or no geologic hazard reports required.

The Community Foundation of Santa Cruz County funded Atkins Engineering to produce a report of geologic hazard zones so that individual property owners wouldn't have to incur the cost of conducting their own study.<sup>[89]</sup>

If the Atkins Report shows a property is in a hazardous zone, additional geologic reports are required. To avoid those costs, an owner can choose to utilize the CZU Rebuild Directive. In this case the property owner must record a covenant that geologic hazards have not been investigated and they assume the risk of any potential geologic hazards on the property.<sup>[90] [91]</sup> This covenant is an encumbrance of title, a claim against a property by a party that is not the owner. An encumbrance can impact the transferability of the property and restrict its free use until the encumbrance is lifted.<sup>[92]</sup>

Though the geography of the fire area in Boulder Creek required these geological studies, and the process of clearing this Pre-Clearance hurdle was challenging, the Grand Jury received testimony that the County Geologist engaged by the RPC improved the Pre-Clearance process significantly and reduced the time to obtain this permit.<sup>[93] [94]</sup> Refer to the RPC Geological Hazard Workflow in [Appendix B](#).

### **Current Rebuild Status**

Figure 4 below shows the status of CZU fire victims' permits issued and homes rebuilt as of April, 2024. These numbers are the most current but are subject to change.

Category	Total	Notes
Number of homes/residences destroyed	697	Approximate count
Single-family residence permits issued by RPC, approved for construction	253	Permitted and occupied or under construction
Parcels with Single-family Residence permits currently in construction	158	Source: County of Santa Cruz, Community Development, and Infrastructure & FEMA
Parcels with approved final, moved in	95	Homes occupied
Homes/residences not rebuilt	444	Approximate count (This number is an approximation of the number of homes burned less those either rebuilt or under construction.)
Parcels since transferred or sold	193	Source: Local Hazard Mitigation Plan 2021-2026. County of Santa Cruz.

**Figure 4:** Counts of CZU Fire Recovery Permits and Rebuilds as of April 10, 2024 provided by the Planning Department<sup>[95] [96] [97]</sup>

## Conclusion

The litany of obstacles to rebuilding is long and complex. From Grand Jury interviews with fire victims and those agencies primarily responsible to aid and assist in restoration and rebuilding, we found much to note. Many victims struggled with the permitting process, insufficient insurance coverage, or a lack of knowledge or understanding of the applicable agency and regulatory requirements. Others simply were so dispirited by the experience that no amount of money could see them through to completion.

It is good to remember that we too often get lost in numbers. Numbers don't completely hide the human cost from view, but sometimes make it more difficult to see and feel. As Grand Jurors, we saw it and felt it all the more deeply as we re-lived every experience, every delay, and every difficulty with every victim we interviewed. That being said, this report is respectfully submitted as a story of both success and failure in which two seemingly contradictory concepts exist side by side. This report is offered to reconcile those concepts and to inform and guide our community.

With those thoughts in mind, the 2023-2024 Santa Cruz County Civil Grand Jury respectfully submits the following Findings, Recommendations, and Commendations.

## Findings

- F1.** The inability of local fire departments to coordinate (communicate) with CAL FIRE during their initial response to the CZU Fire caused many fire victims to unnecessarily lose their homes and possibly contributed to the loss of a life.
- F2.** The Long-term Recovery Group which assisted CZU fire and other disaster victims with case management and food and housing support serves as a model for the future.
- F3.** Because many CZU fire victims were unaware of LTRG disaster services, fire victims, to their detriment, did not make use of the services and/or available financial assistance.
- F4.** The failure of County agencies to have an effective disaster response plan in place prior to the CZU Fire caused many fire victims to incur unnecessary expense in the rebuilding process.
- F5.** The failure of CDI and Environmental Health to provide timely guidance with respect to applying for and obtaining required permits after the CZU Fire caused many fire victims to expend unnecessary time and expense in the rebuild permitting process.
- F6.** The failure of the County Environmental Health department to fully inform CZU fire victims about new state septic system regulations (LAMP) resulted in many fire victims abandoning their plans to rebuild after realizing how high the cost of meeting the new standards would be.

## Recommendations

- R1.** The Santa Cruz County Civil Grand Jury recommends that the Santa Cruz County Office of Response, Recovery and Resilience enter into a public-private partnership with the Long Term Recovery Group to provide continuing assistance and support for current and future disaster victims. This should be done by December 31, 2024. (F2, F3)
- R2.** The Santa Cruz County Civil Grand Jury recommends that OR3, CDI, and Santa Cruz County Environmental Health collaborate in developing a plan for an expedited rebuild process for future disaster victims. This should be done by December 31, 2024. (F5, F6)
- R3.** The Santa Cruz County Civil Grand Jury recommends that OR3 provide a list of all victims of the CZU Lightning Complex Fire, as well as lists of victims of any future disasters, to the LTRG to simplify outreach to victims. This should be done by September 1, 2024. (F2, F3)
- R4.** The Santa Cruz County Civil Grand Jury further recommends that the Board of Supervisors work with CAL FIRE to develop clear collaboration between local firefighting agencies and CAL FIRE. The community at large should then be advised as to this line of command. This should be done by December 31, 2024. (F1, F4)

## Commendations

- C1.** The Santa Cruz County Civil Grand Jury commends the Recovery Permit Center and 4Leaf for its outstanding service to our community and particularly its work in assisting and supporting victims of the CZU Lightning Complex Fire in their recovery and rebuilding efforts.
- C2.** The Santa Cruz County Civil Grand Jury commends the Long Term Recovery Group for its outstanding service to our community and particularly its past and continuing work in assisting and supporting victims of the CZU Lightning Complex Fire in their recovery and rebuilding efforts.
- C3.** The Santa Cruz County Civil Grand Jury commends Catholic Charities and Community Bridges for their outstanding service to our community and their continuing work in support of CZU Lightning Fire victims and their families.
- C4.** The Santa Cruz County Civil Grand Jury commends the Community Foundation of Santa Cruz County for providing financial support to the Long Term Recovery Group and for the preparation and publication of the Atkins Debris Flow Analysis Report.
- C5.** The Santa Cruz County Civil Grand Jury commends Stephen Homan, a retired registered environmental health specialist, who helped 50 CZU fire survivors obtain their environmental Pre-Clearance. A fire victim himself, he donated his time to this effort.

## Required Responses

<i>Respondent</i>	<i>Findings</i>	<i>Recommendations</i>	<i>Respond Within/ Respond By</i>
Santa Cruz County Board of Supervisors	F1–F6	R1–R4	90 days September 19, 2024

## Invited Responses

<i>Respondent</i>	<i>Findings</i>	<i>Recommendations</i>	<i>Respond Within/ Respond By</i>
Long Term Recovery Group	F2, F3	R1, R3	90 days September 19, 2024
Community Foundation of Santa Cruz County	F2, F3	R1, R3	90 days September 19, 2024
Director, Santa Cruz County Community Development and Infrastructure	F5, F6	R2	90 days September 19, 2024
Director, Santa Cruz County Office of Response, Recovery and Resilience	F6	R1–R3	90 days September 19, 2024
Director, Santa Cruz County Environmental Health Department	F5, F6	R2	90 days September 19, 2024

## Definitions

- **4Leaf, Inc:** Independent Company hired to provide pre-clearance permitting
- **BoS:** Santa Cruz County Board of Supervisors
- **CAL FIRE:** The Department of Forestry and Fire Protection
- **CDI:** Santa Cruz County Community Development and Infrastructure
- **EOC:** Emergency Operations Center
- **LAMP:** Local Area Management Program
- **LTRG:** Long Term Recovery Group
- **OR3:** Santa Cruz County Office of Response, Recovery and Resilience
- **RPC:** Recovery Permit Center

## Sources

### References

1. Christopher Potter. April 12, 2023. "Impacts of the CZU Lightning Complex Fire of August 2020 on the forests of Big Basin Redwoods State Park." *California Fish and Wildlife Scientific Journal*. Accessed February 12, 2024.  
<https://journal.wildlife.ca.gov/2023/04/12/impacts-of-the-czu-lightning-complex-fire-of-august-2020-on-the-forests-of-big-basin-redwoods-state-park/#:~:text=The%20CZU%20Lightning%20Complex%20Fire%20started%20on%2016%20August%202020.in%20Santa%20Cruz%20County%2C%20California.>
2. Confidential Grand Jury document.
3. Thomas Fuller and Nicholas Bogel-Burroughs. August 31, 2020. "A Vow of Silence, a Cabin in the Woods." *New York Times*. Accessed May 7, 2024.  
<https://www.nytimes.com/2020/08/31/us/fires-california-monk-tad-jones-last-chaunce-santa-cruz.html>
4. 2020-21 Santa Cruz Grand Jury. June 24, 2021. *The CZU Lightning Complex Fire – Learn...or Burn?* Accessed March 3, 2024.  
[https://www.santacruzcountyca.gov/Portals/0/County/GrandJury/GJ2021\\_final/8\\_AfterCZU\\_Report.pdf](https://www.santacruzcountyca.gov/Portals/0/County/GrandJury/GJ2021_final/8_AfterCZU_Report.pdf)
5. Manu Koenig, Zach Friend, Justin Cummings, Felipe Hernandez, Bruce McPherson. March 26, 2024. "Agenda Item 31 DOC-2024-228." *Santa Cruz County Board of Supervisors*. Accessed April 17, 2024.  
[https://santacruzcountyca.ig2.com/Citizens/Detail\\_LegiFile.aspx?Frame=&MeetingID=2037&MediaPosition=3171.644&ID=15876&CssClass=](https://santacruzcountyca.ig2.com/Citizens/Detail_LegiFile.aspx?Frame=&MeetingID=2037&MediaPosition=3171.644&ID=15876&CssClass=)
6. Confidential Grand Jury interview.
7. 2020-21 Santa Cruz Grand Jury. June 24, 2021. *The CZU Lightning Complex Fire – Learn...or Burn?* Accessed March 3, 2024.  
[https://www.santacruzcountyca.gov/Portals/0/County/GrandJury/GJ2021\\_final/8\\_AfterCZU\\_Report.pdf](https://www.santacruzcountyca.gov/Portals/0/County/GrandJury/GJ2021_final/8_AfterCZU_Report.pdf)
8. Daniel DeLong. February 7, 2023. "Only 24 of 911 lost CZU houses rebuilt. Can we please cut the red tape so my neighbors can come home?" *Lookout Santa Cruz*. Accessed June 8, 2024.  
<https://lookout.co/wildfires-czu-only-24-of-911-lost-czu-houses-rebuilt-we-must-cut-red-tape-so-my-neighbors-can-come-home/>
9. Multiple Boulder Creek fire victims. February 25, 2023. "OPEN LETTERS TO BRUCE MCPHERSON AND COUNTY LEADERSHIP." *SAN LORENZO VALLEY POST*. Accessed April 2, 2024.  
<https://slvpost.com/open-letters-to-bruce-mcpherson-and-county-leadership/>
10. Steve Hohman. August 28, 2024. "Destroyed Bonny Doon home, taken during the CZU fire." *Interviewee supplied photo*.



11. Confidential Grand Jury interview.
12. Confidential Grand Jury interview.
13. Confidential Grand Jury interview.
14. Judy Keenan, Juror. December 15, 2023. “Photo of Boulder Creek taken during CZU fire area field trip, Dec 15, 2023.” *Juror supplied photo.*
15. Confidential Grand Jury document.
16. 2021-22 Santa Cruz Grand Jury. June 24, 2022. *Reducing Community Risks from Wildfire*, Accessed February 21, 2024.  
[https://www.santacruzcountyca.gov/Portals/0/County/GrandJury/GJ2022\\_final/2022-5\\_CZUFire\\_Report.pdf](https://www.santacruzcountyca.gov/Portals/0/County/GrandJury/GJ2022_final/2022-5_CZUFire_Report.pdf)
17. Confidential Grand Jury interview.
18. Confidential Grand Jury interview.
19. County of Santa Cruz staff. April 1, 2024. “Santa Cruz County Board of Supervisors.” Accessed April 12, 2024.  
<https://www.santacruzcountyca.gov/Government/BoardofSupervisors.aspx>
20. Confidential Grand Jury interview.
21. Confidential Grand Jury interview.
22. 2020-21 Santa Cruz Grand Jury. June 24, 2021. *The CZU Lightning Complex Fire – Learn...or Burn?* Accessed May 8, 2023.  
[https://www.santacruzcountyca.gov/Portals/0/County/GrandJury/GJ2021\\_final/8\\_AfterCZU\\_Report.pdf](https://www.santacruzcountyca.gov/Portals/0/County/GrandJury/GJ2021_final/8_AfterCZU_Report.pdf)
23. 2020-21 Santa Cruz Grand Jury. June 24, 2021. *The CZU Lightning Complex Fire – Learn...or Burn?* Accessed March 3, 2024.  
[https://www.santacruzcountyca.gov/Portals/0/County/GrandJury/GJ2021\\_final/8\\_AfterCZU\\_Report.pdf](https://www.santacruzcountyca.gov/Portals/0/County/GrandJury/GJ2021_final/8_AfterCZU_Report.pdf)
24. Confidential Grand Jury document.
25. Confidential Grand Jury interview.
26. Confidential Grand Jury interview.
27. Confidential Grand Jury interview.
28. Stephen Baxter. March 14, 2023. “CZU Fire rebuild process honed by Santa Cruz County leaders.” *Santa Cruz Local*. Accessed June 2, 2024.  
<https://santacruzlocal.org/2023/03/14/czu-fire-rebuild-process-honed-by-santa-cruz-county-leaders/>
29. Manu Koenig, Zach Friend, Justin Cummings, Felipe Hernandez, Bruce McPherson. March 14, 2023. “Agenda Item 12 : DOC-2023-217,” p. 2. *Santa Cruz County Board of Supervisors*. Accessed May 8, 2023.  
<http://santacruzcountyca.igm2.com/Citizens/SplitView.aspx?Mode=Video&MeetingID=1994##page=2>

30. Confidential Grand Jury interview.
31. Confidential Grand Jury interview.
32. Confidential Grand Jury interview.
33. Confidential Grand Jury interview.
34. Confidential Grand Jury interview.
35. Long Term Recovery Group of Santa Cruz County. March 13, 2024. "Long Term Recovery Group." *Santa Cruz County Long Term Recovery Group*. Accessed March 13, 2024.  
<https://www.sccltrg.org/>
36. Santa Cruz County Office of Response, Recovery & Resilience staff. January 1, 2024. "Long Term Recovery Group," p. 1. *Santa Cruz County Office of Response, Recovery & Resilience*. Accessed April 14, 2024.  
<https://www.santacruzcountycalifornia.gov/OR3/Recovery/LongTermRecoveryGroup.aspx>
37. Confidential Grand Jury interview.
38. Confidential Grand Jury document.
39. Confidential Grand Jury document.
40. Confidential Grand Jury interview.
41. Confidential Grand Jury interview.
42. Julie Huff, Susan True. January 1, 2023. "2023 Report to the Community," p. 4. *Community Foundation of Santa Cruz*. Accessed April 9, 2024.  
<https://craft-cfsc-prod.s3.amazonaws.com/uploads/CommFoundation.ImpactReport.2023.online.pdf>
43. Confidential Grand Jury interview.
44. Confidential Grand Jury document.
45. Confidential Grand Jury interview.
46. Permit Sonoma staff. January 1, 2024. "Customer Service Ombudsperson." *Sonoma County Permit Sonoma*. Accessed April 24, 2024.  
<https://permitsonoma.org/divisions/customerserviceandadministration/customerserviceombudsperson>
47. Confidential Grand Jury interview.
48. 2020-21 Santa Cruz Grand Jury. June 24, 2021. *The CZU Lightning Complex Fire – Learn...or Burn?* Accessed March 3, 2024.  
[https://www.santacruzcountycalifornia.gov/Portals/0/County/GrandJury/GJ2021\\_final/8\\_AfterCZU\\_Report.pdf](https://www.santacruzcountycalifornia.gov/Portals/0/County/GrandJury/GJ2021_final/8_AfterCZU_Report.pdf)
49. Confidential Grand Jury document.

50. Multiple Boulder Creek fire victims. February 25, 2023. "OPEN LETTERS TO BRUCE MCPHERSON AND COUNTY LEADERSHIP." *SAN LORENZO VALLEY POST*. Accessed April 2, 2024.  
<https://slvpost.com/open-letters-to-bruce-mcpherson-and-county-leadership/>
51. Confidential Grand Jury interview.
52. Confidential Grand Jury document.
53. Confidential Grand Jury interview.
54. John Leopold, Zach Friend, Ryan Coonerty, Greg Caput, Bruce McPherson. November 17, 2020. "Summary Minutes item 13 11/17/2020," p. 4. *Santa Cruz County Board of Supervisors*. Accessed April 14, 2024.  
<http://santacruzcountyca.ig2.com/Citizens/FileOpen.aspx?Type=15&ID=1993&Inline=True>
55. Confidential Grand Jury interview.
56. Confidential Grand Jury interview.
57. Confidential Grand Jury interview.
58. Confidential Grand Jury interview.
59. County of Santa Cruz Recovery Permit Center staff. January 1, 2024. "Step 5: Submit Building Permit Application Package." *Santa Cruz County Fire Recovery*. Accessed April 9, 2024.  
<https://www.santacruzcountyca.gov/FireRecovery/RecoveryPermitCenter/Step5SubmitBuildingPermitApplicationPackage.aspx>
60. County of Santa Cruz Recovery Permit Center staff. January 1, 2024. "Step 7: Building Plan Review and Approval Process." *Santa Cruz County Fire Recovery*. Accessed April 9, 2024.  
<https://www.santacruzcountyca.gov/FireRecovery/RecoveryPermitCenter/Step7BuildingPlanReviewandApprovalProcess.aspx>
61. Confidential Grand Jury interview.
62. Confidential Grand Jury interview.
63. Confidential Grand Jury interview.
64. Confidential Grand Jury interview.
65. Confidential Grand Jury interview.
66. Confidential Grand Jury interview.
67. Confidential Grand Jury interview.
68. Confidential Grand Jury interview.
69. Confidential Grand Jury interview.
70. Confidential Grand Jury interview.
71. Confidential Grand Jury interview.

72. Confidential Grand Jury document.
73. Multiple Boulder Creek fire victims. February 25, 2023. "OPEN LETTERS TO BRUCE MCPHERSON AND COUNTY LEADERSHIP." *SAN LORENZO VALLEY POST*. Accessed April 2, 2024.  
<https://slvpost.com/open-letters-to-bruce-mcpherson-and-county-leadership/>
74. Confidential Grand Jury interview.
75. Confidential Grand Jury interview.
76. Multiple Boulder Creek fire victims. February 25, 2023. "OPEN LETTERS TO BRUCE MCPHERSON AND COUNTY LEADERSHIP." *SAN LORENZO VALLEY POST*. Accessed April 2, 2024.  
<https://slvpost.com/open-letters-to-bruce-mcpherson-and-county-leadership/>
77. Confidential Grand Jury interview.
78. Confidential Grand Jury interview.
79. Confidential Grand Jury interview.
80. Multiple Boulder Creek fire victims. February 25, 2023. "OPEN LETTERS TO BRUCE MCPHERSON AND COUNTY LEADERSHIP." *SAN LORENZO VALLEY POST*. Accessed April 2, 2024.  
<https://slvpost.com/open-letters-to-bruce-mcpherson-and-county-leadership/>
81. Confidential Grand Jury interview.
82. Daniel DeLong. July 20, 2023. "Stephen Homan has a perfect record fighting for CZU survivors. But why did he have to fight at all?" *Lookout Santa Cruz*. Accessed June 8, 2024.  
<https://lookout.co/czu-fire-rebuild-stephen-homan-has-perfect-record-fighting-for-czu-survivors-but-why-did-he-have-to-fight-at-all/>
83. Confidential Grand Jury document.
84. Mike DeMars. October 13, 2023. "Access Road Requirements." *CENTRAL FIRE DISTRICT OF SANTA CRUZ COUNTY COMMUNITY RISK REDUCTION DIVISION*. Accessed March 24, 2024.  
<https://centralfiresc.org/DocumentCenter/View/256/FPB-59-Access-Road-Requirements-PDF?bidId=>
85. Aiyana Moya. March 22, 2022. "Trying to Rebuild, CZU Fire Victims Face Red Tape, Costly Permits and Repair Mishaps." *GoodTimes Santa Cruz*. Accessed April 2, 2024.  
<https://www.goodtimes.sc/trying-to-rebuild-czu-fire-victims-face-red-tape-costly-permits-and-repair-mishaps/>
86. Confidential Grand Jury interview.

87. PK Hattis. December 8, 2023. “Santa Cruz most vulnerable county in state to landslides, officials say: Supervisors discuss financial pressures at Tuesday meeting.” *Santa Cruz Sentinel*. Accessed February 20, 2024.  
<https://www.santacruzsentinel.com/2023/12/08/santa-cruz-most-vulnerable-county-in-state-to-landslides-officials-say/>
88. Confidential Grand Jury interview.
89. Confidential Grand Jury interview.
90. Manu Koenig, Zach Friend, Ryan Coonerty, Greg Caput, Bruce McPherson. September 14, 2021. “Resolution No. 226-2021, Sept 14, 2021,” p. 2,3. *Santa Cruz County Board of Supervisors*. Accessed April 14, 2024.  
<https://santacruzcountyca.gov/Portals/0/County/FireRecovery/pdfs/CZU%20Rebuild%20Directive%20Board%20Resolution.pdf>
91. Board of Supervisors. September 28, 2021. “Agenda Item 12 DOC-2021-827 9/28/2021.” *Santa Cruz County Board of Supervisors*. Accessed April 14, 2024.  
[http://santacruzcountyca.iqm2.com/Citizens/Detail\\_LegiFile.aspx?ID=11360&highlightTerms=atkins](http://santacruzcountyca.iqm2.com/Citizens/Detail_LegiFile.aspx?ID=11360&highlightTerms=atkins)
92. Confidential Grand Jury interview.
93. Confidential Grand Jury interview.
94. Confidential Grand Jury interview.
95. Confidential Grand Jury document.
96. Confidential Grand Jury document.
97. Confidential Grand Jury document.
98. CZU Lightning Complex Sep 11: Containment grows as evacuation orders dwindle. September 11, 2020. “CZU Lightning Complex Sep 11: Containment grows as evacuation orders dwindle.” *KSBW Action News 8*. Accessed May 1, 2024.  
<https://www.ksbw.com/article/czu-lightning-complex-sep-11-containment-grows-as-evacuation-orders-dwindle/33995179>
99. County of Santa Cruz Recovery Permit Center staff. January 1, 2024. “Recovery Permit Center Dashboard.” *Santa Cruz County Fire Recovery*. Accessed May 1, 2024.  
<https://www.santacruzcountyca.gov/FireRecovery/RecoveryPermitCenter/RecoveryPermitCenterDashboard.aspx>
100. Confidential Grand Jury document.

### **Site Visits**

On December 15, 2023, CZU Fire Victim committee members were given a tour of several fire areas: the Clear Creek, Boulder Brook, and Fallen Leaf neighborhoods.

### Appendix A – CZU and RPC Maps & RPC Dashboard

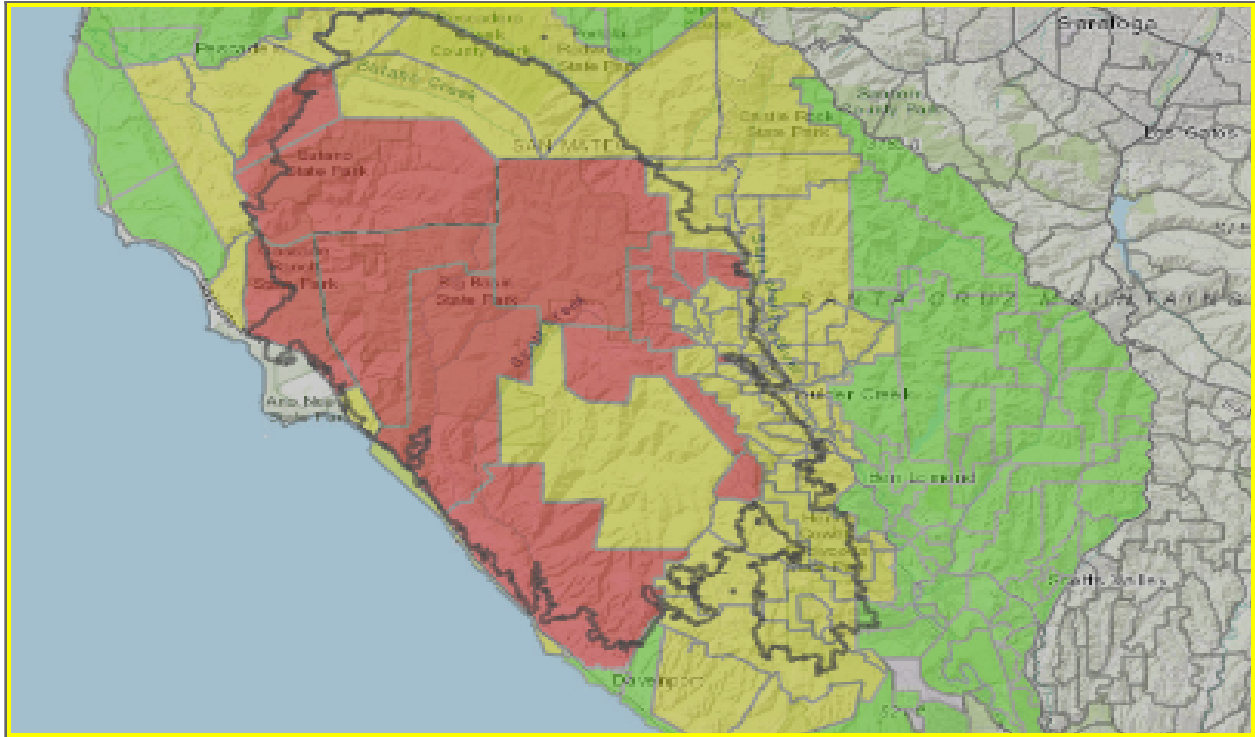


Figure 5: CZU Fire Area Map from date. Credit: KSBW Action News 8. [98]

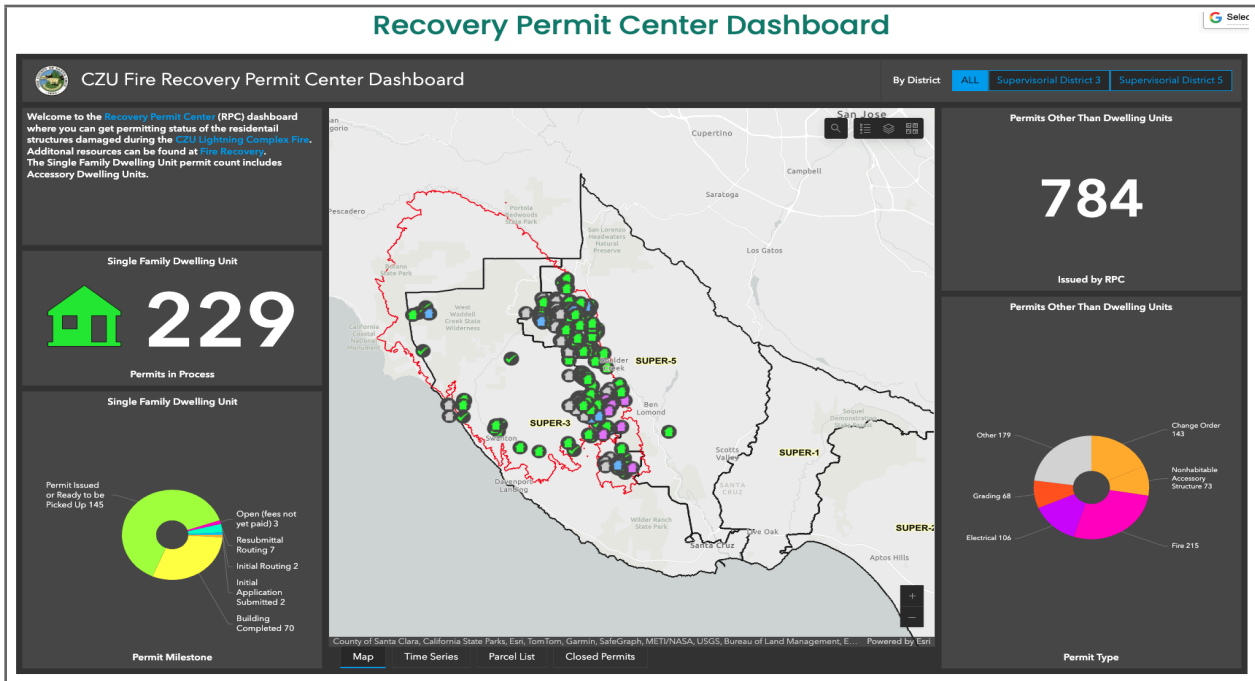
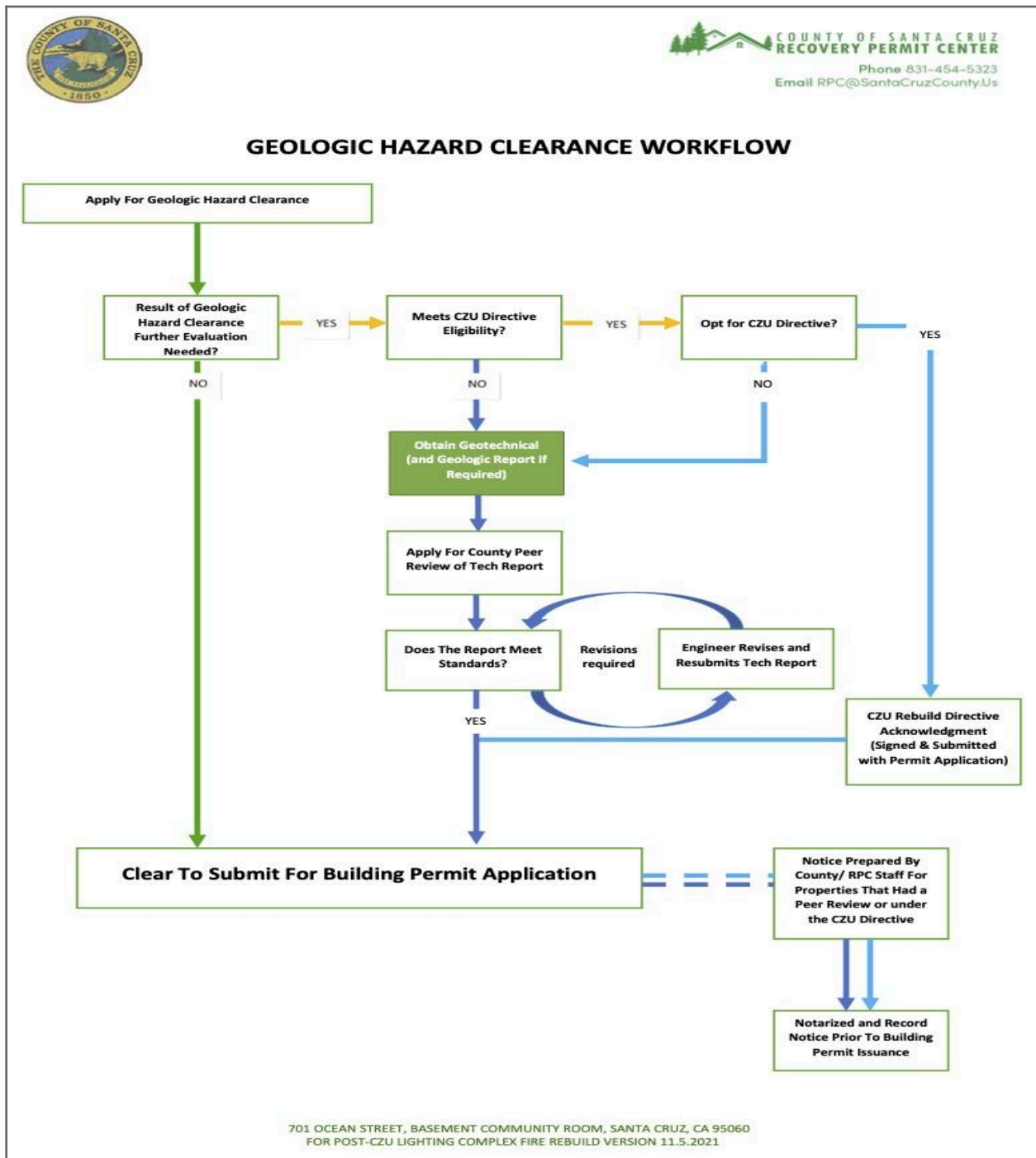


Figure 6: Recovery Permit Center Dashboard Map as of May 1, 2024. [99]

## Appendix B – Recovery Permit Center Geologic Hazard Workflow

Figure 7 is the detailed workflow provided by RPC Staff. It shows how the CZU Directive can be used for the Geologic Hazard Pre-clearance, as well the steps required if the CZU Directive is not used.



**Figure 7:** Geologic Hazard Clearance Workflow used by the Recovery Permit Center for CZU Fire Victims. <sup>[100]</sup>

### Appendix C – After-Action Report Improvement Plan

Figure 8 lists the core capabilities implemented for the CZU Fire and their associated performance ratings, as observed during the event, and determined by the evaluation team and after action review process.

Capabilities having a higher frequency of deficiencies or areas of improvement identified during the after action review process were rated **M**, for “Performed with Major Challenges.”

Capabilities with lower frequency of areas of improvement or deficiency, received an **S**, for “Performed with Some Challenges.”

Core Capability	Performed without Challenges (P)	Performed with Some Challenges (S)	Performed with Major Challenges (M)	Unable to be Performed (U)
Planning			M	
Public Information and Warning		S		
Operational Coordination			M	
Intelligence and Information			M	
Infrastructure Systems		S		
Critical Transportation			M	
Environmental Response / Health Safety		S		
Mass Care Services			M	
Operational Communications			M	
Public Health		S		
Healthcare and Emergency Medical Services		S		
Situational Assessment		S		
Housing		S		
Natural and Cultural Resources		S		

Table 1. Summary of Core Capability Performance

Figure 8: After-Action Report Improvement Plan, December 7, 2021<sup>[24]</sup>





**SANTA CRUZ COUNTY**  
Civil Grand Jury

701 Ocean Street, Room 318-I  
Santa Cruz, CA 95060  
(831) 454-2099  
grandjury@scgrandjury.org

## **Housing For Whom?**

### **An Investigation of Inclusionary Housing in the City of Santa Cruz**

---

#### **Summary**

Inclusionary Housing refers to the percentage of units in a development project required by City Code to be set aside for below market rate rent or sale. This type of housing is a critical source of affordable housing in the City of Santa Cruz. The number is small while the demand is high.

The City Municipal Code requires that local residents and workers in the City of Santa Cruz who meet income eligibility requirements are given preference (priority) for Inclusionary Housing. But is this happening?

The Grand Jury investigation determined that the City keeps no records, does no tracking, gathers no data, and has no evidence to determine if preference is being given to local residents and local workers when renting Inclusionary Housing units.

The City has conflicting and contradictory policies on whether Inclusionary Housing applies to low, very low and extremely low income earners only, or whether moderate income earners are also eligible. The City cannot state what percentage of the City's affordable housing is occupied by income-verified UCSC students.

The Grand Jury recommends that the disparity in the City's legal documents regarding income eligibility levels for Inclusionary Housing be resolved; that the City develop publicly available metrics to ensure Inclusionary Housing preferences are being followed and to document the percentage of Inclusionary Housing units rented to UCSC students.

## Table of Contents

<b>Summary</b>	<b>1</b>
<b>Table of Contents</b>	<b>2</b>
<b>Background</b>	<b>3</b>
Inclusionary Housing And Measure O	3
Housing Costs Force Long Commutes	3
UCSC Students And Rental Housing	3
<b>Scope and Methodology</b>	<b>3</b>
<b>Investigation</b>	<b>4</b>
Where Is The Data?	4
Assumptions About Inclusionary Housing And “Essential” Workers	5
Inclusionary Housing Framework	5
Inclusionary Housing: Income Levels And Rents	6
Conflicting Measure O Allowable Income Levels On City Website	7
Inclusionary Housing: The Process	8
Are Inclusionary Housing Preferences Implemented And Checked?	9
Rental Housing And UCSC Students	10
<b>Conclusion</b>	<b>11</b>
<b>Findings</b>	<b>11</b>
<b>Recommendations</b>	<b>11</b>
<b>Required Responses</b>	<b>12</b>
<b>Definitions</b>	<b>12</b>
<b>Sources</b>	<b>12</b>
References	12
<b>Appendix A – Low and Very Low Income Rent Formula Tables for Santa Cruz</b>	<b>18</b>

## Background

### ***Inclusionary Housing And Measure O***

Since 1980, the City of Santa Cruz has required housing project developers to provide a percentage of the project units at “below market” rates. This percentage is called the Inclusionary rate. It was part of Measure O approved by voters in 1979. The resulting Inclusionary Ordinance adopted by the Santa Cruz City Council has subsequently undergone a number of updates.<sup>[1]</sup>

### ***Housing Costs Force Long Commutes***

Since the adoption of the Inclusionary Ordinance, housing costs both for sale and rent have risen dramatically in Santa Cruz and elsewhere in the Bay Area. Santa Cruz has been designated as the most expensive rental market in the US. Many workers earn too little to afford the ever-increasing rents. Much of the local workforce, whether police officers, firefighters, nurses, teachers, restaurant workers, cooks, cleaners, janitors, teachers, mechanics...the list is long...commutes long distances from other less-expensive towns to work in Santa Cruz.<sup>[2] [3]</sup>

### ***UCSC Students And Rental Housing***

Students have a big impact on the City’s rental housing supply. Since the adoption of the Inclusionary Ordinance in 1980, the student population at the University of California at Santa Cruz (UCSC) has increased from six thousand students to the current nineteen thousand students. Anticipated growth through 2040 is planned for twenty eight thousand students plus additional staff and faculty. Student population growth accounts for approximately half the population growth of the City of Santa Cruz since 1980.<sup>[4] [5] [6]</sup>

## Scope and Methodology

The Grand Jury reviewed available documents and conducted interviews to determine if there is Ordinance-related tracking by the City of Santa Cruz. In particular, the Grand Jury investigated whether Inclusionary Housing is occupied by local residents and local workers as mandated by the City’s Municipal Code 24.16.045. The Grand Jury also sought data on UCSC student occupancy of Inclusionary and 100% Affordable Housing.<sup>[7]</sup>

The report focuses on Inclusionary Housing units in projects built since 2007. That is the year that Preference (priority) for local residents and local workers was adopted in the Ordinance and the Municipal Code.<sup>[8]</sup>

The Scope of the report includes the following:

- How many Inclusionary units exist in the City
- The numbers of Inclusionary units at each income level

- The methods used by the City to track and document that local resident and local worker preferences are being implemented
- The percentage of Inclusionary units occupied by students and non-students.

The Methodology for the investigation included:

- Interviews with City and County agency staff and housing providers
- Statutes and Guidelines:
  - City Ordinances related to Inclusionary Housing
  - Resolutions related to Inclusionary Housing
  - Municipal Codes related to Inclusionary Housing
  - Housing and Community Development (HCD) income levels applied to Inclusionary Housing
  - Conditions of Approval for Mixed-Use Housing projects
- Process Documents:
  - Affordable Housing Agreements between developers and the City
  - Documents for applying for an Inclusionary/Measure O unit
- Tracking:
  - Annual monitoring documents required of property managers
- Other:
  - Newspaper articles
  - Public hearings for City Mixed-use Housing projects

## Investigation

The Grand Jury's investigation covered how affordable housing is managed and documented within the City of Santa Cruz.

### *Where Is The Data?*

The Grand Jury has previously addressed this issue. The 2022-2023 Grand Jury report titled, *Housing Our Workers: Essential Workers Need Affordable Housing!* recommended the City adopt "clear, measurable guidelines."<sup>[9]</sup>

Given the magnitude of the need for more affordable housing, the long commutes by low-income local workers and the growing UCSC student population, it is imperative that existing and future Inclusionary Housing be occupied by those for whom it is intended. Whether this requirement is being achieved should be based on metrics, not assumptions or hearsay.

This investigation was done to determine whether the City of Santa Cruz has verifiable documentation to ensure the following: that the City-required Inclusionary Housing units in mixed-use and in 100% Affordable Projects are being offered to and occupied by local residents and local workers at the appropriate income levels as required.

**Assumptions About Inclusionary Housing And “Essential” Workers**

Members of the Santa Cruz community assume that Inclusionary Housing is intended for our local essential workers. Both proponents and opponents of the 2024 ballot Measure M (which included increasing the Inclusionary rate from 20% to 25%) made such statements during the campaign. Similar statements are voiced by members of the public as well as by the City Planning Commission and City Council when speaking in support of proposed mixed-use housing projects with Inclusionary units. Speakers claim that providing such affordable housing will enable workers to live near their workplace rather than having to commute long distances to their jobs in Santa Cruz. However, essential workers, as such, are not called out in the Inclusionary Housing preference categories. The City has no data on whether any essential workers are being housed in Inclusionary or other Affordable Housing.<sup>[7][10]</sup>

**Inclusionary Housing Framework**

**Evolution of Measure O**

Since it was passed in 1979, Measure O / Inclusionary Housing Resolutions have been updated as follows:

- Eight City Council Resolutions were passed between 1985 and 2018 requiring all Inclusionary Housing to be rented or sold to extremely low, very low and low income households as defined by the State Housing and Community Development department.
- In January 2007, preferences for local residents and local workers to rent or buy Inclusionary Housing units were added to the Ordinance.
- In 2020, the rate of Inclusionary units was raised from 15% to 20%.
- The Inclusionary designation of the units is now in perpetuity and will not convert to market rate should a tenant leave.<sup>[1][11][12][13][14]</sup>

**Inclusionary Housing: Preferences for Local Residents and Local Workers**

Since 2007, the City has required that preferences be applied when property managers choose tenants for Inclusionary Housing. These preferences are codified in Municipal Code 24.16.045 (6) as follows:

- As consistent with state and federal law, preferences for rental Inclusionary units shall be given in the following priority order:*
- a. Residents of the city of Santa Cruz for at least one year.*
  - b. Those employed in the city of Santa Cruz.*
  - c. Residents of the county of Santa Cruz for at least one year.*
  - d. Those employed in the county of Santa Cruz.*

The same order is repeated for Inclusionary sale units.<sup>[15][16]</sup>

The Grand Jury learned that UCSC students can apply for Inclusionary and Affordable Housing if they are income-verified by the Housing Authority.<sup>[17][18]</sup>

## **Inclusionary Housing Overview**

There are currently two hundred and forty (240) built and occupied Inclusionary units of housing in the City of Santa Cruz. Ninety three (93) are ownership units while one hundred and forty seven (147) are rental units.<sup>[19]</sup>

Income limits for Inclusionary Housing are set by the U. S. Department of Housing and Urban Development (HUD) and the State Housing and Community Development Department (HCD). The limits are tied to the County's Area Median Income (AMI) and are expressed as a percentage of that figure which varies by County and by year.<sup>[20]</sup>

In the course of this investigation, the City updated its website for the Housing Division with a revamped Housing Assistance Information page. This update was celebrated in Mayor Keeley's monthly column in the Santa Cruz Sentinel on March 10, 2024.<sup>[21]</sup> The new website includes the local resident and local worker preferences and information on upcoming affordable projects. Future projects, either approved or in the pipeline, are estimated to provide at least an additional six hundred Inclusionary/Affordable units.<sup>[22] [23]</sup>

## ***Inclusionary Housing: Income Levels And Rents***

In 2023 the AMI in Santa Cruz County for an individual wage earner was \$92,950. The maximum annual income limit for the Low Income earner was \$74,360. The maximum monthly rent for a one-person studio for a Low Income individual was \$2,169 a month based on 80% of the AMI. For the Very Low Income category of wage earners the percentage is 50% of AMI with the maximum rent of \$1,162 a month for a one-person studio.<sup>[24]</sup>

The AMI in Santa Cruz is rapidly rising due to the influx of higher wage earners. This rise can be seen in the comparison between the AMI in 2020 and the AMI in 2023. The AMI in 2020 for Santa Cruz County was \$77,000. Three years later in 2023 it was \$92,950. For comparison, the 2023 AMI in Monterey county was \$70,300.<sup>[25] [26]</sup>

The increase in AMI is significant because the maximum allowable incomes and rents for low-income, very low-income, and extremely low-income earners are calculated as a percentage of the AMI. The higher the AMI, the higher the qualifying allowable wages and rents for all income levels of Inclusionary units.

A review of the table below in Figure 1 shows the AMI for one and two persons plus maximum income and rent allowed in the city of Santa Cruz for the category of Low Income for 2023, based on the HCD guidelines. The complete tables with footnotes can be found in [Appendix A](#). Figure 1 and 2 tables were extracted from the complete tables for easier visibility.

<b>2023 MAXIMUM ALLOWABLE LOW INCOME BY HOUSEHOLD SIZE &amp; MAXIMUM RENTS BY UNIT SIZE RENTAL OF AN INCLUSIONARY UNIT</b> Per Resolution No. NS-16,452		
Household Unit Size	1 Person/ Studio	2 Person/ 1-Bedroom
STEP 1: Determine HUD Median Income (100% AMI) by Household Size	\$92,950	\$106,250
STEP 2: Reduce Step 1 by 8.16%	\$85,365	\$97,580
STEP 3: Multiply Step 2 by 80% for the Maximum Income Limit Maximum Allowable Household Income	\$68,292	\$78,064
STEP 4: Divide Step 3 by 12 for Maximum Allowable Monthly Income	\$5,691	\$6,505
STEP 5: Multiply Step 4 by 25% for Maximum Rent (Owner Pays all Utilities)	\$1,423	\$1,626

**Figure 1.** Low Income Rent Formula<sup>[26]</sup>

A review of the table below (Figure 2) shows the AMI plus maximum income and rent allowed in the city of Santa Cruz for the category of Very Low Income for 2023, based on the HCD guidelines.

<b>2023 MAXIMUM ALLOWABLE VERY LOW INCOME BY HOUSEHOLD SIZE &amp; MAXIMUM RENTS BY UNIT SIZE RENTAL OF AN INCLUSIONARY UNIT</b> Per Resolution No. NS-22,400		
Household Unit Size	1 Person/ Studio	2 Person/ 1-Bedroom
STEP 1: Determine HUD Median Income (100% AMI) by Household Size	\$92,950	\$106,250
STEP 2: Multiply Step 1 by 50% for the Maximum Income Limit Maximum Allowable Household Income	\$46,475	\$53,125
STEP 3: Divide Step 3 by 12 for Maximum Allowable Monthly Income	\$3,873	\$4,427
STEP 4: Multiply Step 3 by 30% for Maximum Rent (Owner Pays all Utilities)	\$1,162	\$1,328

**Figure 2.** Very Low Income Rent Formula<sup>[26]</sup>

**Conflicting Measure O Allowable Income Levels On City Website**

The City website on Housing Assistance Information and Resources / Measure O has conflicting statements regarding allowable income levels for Inclusionary Housing. One

entry states that Measure O units are restricted to Very Low and Low Income households, or those households having a Housing Choice Voucher (Section 8). Another entry states that Measure O units are available to Moderate, Low or Very Low income households.

The City's website for the Measure O Rents and Incomes page does not include the Moderate income category and references only Low Income and Very Low income categories. However, the city's website referencing Measure O Inclusionary Housing does include Moderate Income.<sup>[27]</sup>

As stated earlier, all eight City Council Resolutions on Inclusionary Housing from 1985 through 2018 require Inclusionary units to be rented or sold only to Low, Very Low and Extremely Low income levels.

The most recent Resolution No. NS-29, 463 Exhibit A includes:

**C. INCOME ELIGIBILITY, MAXIMUM RENTS, AND MAXIMUM SALES PRICES**

1. Inclusionary Units: All affordable units shall be rented or sold to extremely-low, very-low, or low income households.<sup>[28]</sup>

In practice it appears the City is allowing the Moderate income level to be included for Inclusionary Housing projects. A currently proposed Inclusionary Housing project that includes the Moderate income category is the development for 831 Almar Street. Under the heading Affordable Units, it references nine (9) Very Low income and nine (9) Moderate Income units.<sup>[29]</sup>

Moderate Income level earnings and allowable rents are higher than the other three categories. The 2023 HCD annual allowable income for one person in the Moderate category is \$111,550 for Santa Cruz County.<sup>[30]</sup>

Requests were made to the City for the numbers of Inclusionary units occupied at the various income levels. The Grand Jury learned that the city does not track those metrics and no data is available.<sup>[31]</sup>

### ***Inclusionary Housing: The Process***

The City requires a project developer to sign an Affordable Housing Development Agreement before the developer begins the process of seeking a Building Permit. Page thirty-four of the forty page Development Agreement document includes the local resident and local worker preferences section.<sup>[32]</sup>

Once a project is built and ready for occupancy, the property manager is required to alert the City when a Measure O unit is available for rent. This availability is then listed on the City's website.<sup>[33]</sup>

The property manager retains discretion over the choice of tenants but is expected to follow the preferences. Once a property manager selects a prospective tenant for a specific unit, the property manager signs a Letter of Referral. This letter contains no information regarding residence or current workplace of the prospective tenant but it



does allow a prospective tenant to complete a Measure O Eligibility Application for submission to the Housing Authority.<sup>[34] [35]</sup>

The Measure O Eligibility Application includes the applicant’s residence and workplace information. It also has boxes for the applicant to check off yes or no to the questions of living or working in the City of Santa Cruz. The Housing Authority does not verify the residence or workplace entries. It checks and verifies only the income eligibility based on the information supplied.<sup>[36]</sup>

If the prospective tenant is determined to be income-qualified for the specific unit, the Housing Authority sends a Measure O Eligibility Certificate to the tenant, the property owner, and the City.<sup>[37]</sup>

### ***Are Inclusionary Housing Preferences Implemented And Checked?***

The short answer is nobody knows. There are no checks, no tracking, and no records kept. The following are descriptions of documents involved in the process. None of the documents requires a submitted statement of compliance with the required City Code preferences.

#### **Annual Compliance Form**

The City requires property managers to submit an Annual Compliance Form regarding Inclusionary Housing units. This form checks income level compliance only. It contains no reference to and requires no data for checking if the City Code preferences for local residents and local workers are being followed. The Housing Authority verifies income for Inclusionary units on first application. There is no annual verification of income. It is not clear how the city verifies and tracks ongoing income eligibility.<sup>[38] [39]</sup>

#### **Affordable Housing Development Agreement**

Although the City’s Affordable Housing Development Agreement cites that the City requires a “Maintenance of records to demonstrate compliance with this chapter” and the chapter includes the City Code preferences, the City has no evidence of such records being available or checked.<sup>[40]</sup>

#### **Housing Choice Vouchers**

Forty-eight percent (48%) of the one hundred and forty-seven inclusionary rental units in the City are occupied by Housing Choice Voucher holders (formerly Section 8). Such tenants are not required to be City locals nor work in the City. There are limited resident/worker preferences under the Housing Authority, but they are County-wide preferences, not City based. Property managers receive full market rate rents for units occupied by Voucher holders with the difference subsidized by the Federal Government.<sup>[41] [42] [43]</sup>

## Other Affordable Projects

The One Hundred Percent (100%) Affordable projects in the City have their own preferences (priorities) for renting units based on the requirements of the funding sources used by developers to build the projects. For example, if there is a priority for people with disabilities, people at risk of homelessness or people with a Housing Voucher, those priorities do not necessarily include local resident or local worker preferences. There is no documentation or data available from the City showing how many of these units are occupied by local residents or local workers.<sup>[44] [45] [46]</sup>

## Anecdotal Beliefs

The Grand Jury learned from city officials that there is an assumption that Inclusionary units are occupied by locals and local workers based on conversations and anecdotes. There is no data available to support the assumptions.<sup>[47] [48]</sup>

## Temporary Certificate of Occupancy Form

During the course of this investigation, the City initiated a “brand new” Temporary Certificate of Occupancy (TCO), or TCO Projects Compliance Form. This new form defines local resident and local worker preferences to remind the property manager of said preferences to follow the rules. The manager of the new Cedar Street project is the first to receive this form.<sup>[49] [50]</sup>

## Rental Housing And UCSC Students

The impact of UCSC students on the local rental market is an ongoing issue. The 2022-23 Grand Jury Report stated: “F2. With the planned growth of UCSC to 28,000 students, the potential demand for off campus housing for students, faculty and staff has the potential to make the affordable housing problem even worse.”<sup>[9]</sup>

First-year UCSC students live on-campus with guaranteed housing. When they move off campus into rental housing for the rest of their UCSC education, income-eligible students qualify for Inclusionary Housing as City local residents, which is the top priority or preference for Inclusionary Housing. Each year, approximately fifty percent (50%) of students seek rental housing off-campus.<sup>[51] [52]</sup>

The provision of more rental housing on Campus is a key issue in legal negotiations between UCSC and the City of Santa Cruz. The Grand Jury believes it would be helpful for the City to know how much of its affordable housing supply is rented to UCSC students.<sup>[53]</sup>

The City could provide no data or documentation on the percentage of Inclusionary Housing units occupied by income-qualifying UCSC students. The Grand Jury learned that anecdotes and impressions substitute for data.<sup>[54] [55]</sup>

## Conclusion

The main function of the Civil Grand Jury is to improve transparency and accountability in local government.

If adopted, the four recommendations from the Civil Grand Jury will help the City clarify its Inclusionary Housing regulations. Doing so will provide the City and the community with clear data on which to base claims and conclusions about who occupies affordable housing in the City of Santa Cruz.

## Findings

- F1.** The contradictory entries on the City’s website and in the City’s legal documents on whether Inclusionary Housing is restricted to Low, Very Low and Extremely Low income levels or whether it includes the Moderate income level is a major discrepancy with consequences about who is eligible for and who obtains Inclusionary Housing.
- F2.** The City has no data on whether Inclusionary Housing is occupied by income-verified local residents and local workers. Both groups are given preference for housing as required by Ordinance. Without data, neither the City nor the community can be assured that such housing is meeting its intended purpose.
- F3.** The City has no data on the percentage of units in Inclusionary and 100% Affordable Housing projects that are rented to UCSC students. This leaves the City and the public unable to assess the impact of UCSC on the local affordable housing supply. Such data is important for the City’s ongoing negotiations with UCSC to build more on-campus housing.

## Recommendations

- R1.** The Grand Jury recommends that the Santa Cruz City Council state exactly which HCD Income Levels are covered by the City’s Inclusionary Housing Ordinance and Resolutions, and make that information public by December 31, 2024. (F1)
- R2.** The Grand Jury recommends that the Santa Cruz City Council develop an ongoing system to track, document and verify within 30 days of occupancy whether a unit is occupied by an income-verified local resident or local worker as required by the Ordinance, specifying which category the renter fulfills, and have such a system in place by January 31, 2025. (F2)
- R3.** The Grand Jury recommends that the Santa Cruz City Council document the percentage of the City’s Inclusionary and 100% Affordable Housing units that are rented to UCSC students, making that data public by February 28, 2025 with annual updates. (F3)

- R4.** The Grand Jury recommends that the Santa Cruz City Council create an Inclusionary Housing public dashboard that covers the data called for in this report by February 28, 2025. (F1, F2, F3)

## Required Responses

<i>Respondent</i>	<i>Findings</i>	<i>Recommendations</i>	<i>Respond Within/ Respond By</i>
Santa Cruz City Council	F1–F3	R1–R4	90 Days September 19, 2024

## Definitions

- **Affordable housing:** a term in common use for housing that is affordable to lower income earners
- **AMI:** Area Median Income
- **HCD:** State Housing and Community Development Department
- **HUD:** U. S. Department of Housing and Urban Development<sup>[20]</sup>
- **Housing Choice Voucher:** formerly known as Section 8 Housing. Federally assisted housing operated through the Housing Authority
- **Inclusionary Housing:** The percentage of housing in projects that is required by Ordinance to be rented or purchased at below market rates
- **Mixed-use housing:** retail on ground floor with housing above, including the required Inclusionary units
- **One Hundred Percent Affordable Housing:** Public or private projects in which all units are offered at below market-rate
- **Preferences:** Priority order for rental Inclusionary units codified in Municipal Code 24.16.045 (6). See page 6 of report for priority listing.<sup>[15]</sup>

## Sources

### References

1. City of Santa Cruz Economic Development and Housing. April 13, 2021. "Measure O/Inclusionary Housing: DRAFT Inclusionary Housing Financial Feasibility Analysis - Rental Residential Development." Accessed April 13, 2024. <https://www.cityofsantacruz.com/government/city-departments/economic-development/housing-assistance-information/housing-programs/measure-o-inclusionary-housing>

2. Amy Larson. June 26, 2023. “This California county is most expensive in U.S. for renters, and it’s not SF.” Accessed March 2, 2024.  
<https://www.kron4.com/news/bay-area/this-california-county-is-most-expensive-in-u-s-for-renters-and-its-not-sf/#:~:text=Data%20released%20in%20the%20report%20most%20expensive%20state%2C%20in%20America.&text=Statewide%20in%20California%2C%20the%20Fair,two%2Dbedroom%20apartment%20is%20%242%2C197.>
3. Datashare Santa Cruz County Data for Action. January 4, 2021. “Drivers with Long Commute.” Accessed March 2, 2024.  
<https://www.datasharescc.org/indicators/index/view?indicatorId=2367&localeId=281>
4. UC Santa Cruz INSTITUTIONAL RESEARCH, ASSESSMENT, and POLICY STUDIES. January 4, 2023. “Campus Enrollments.” Accessed March 2, 2024.  
<https://iraps.ucsc.edu/student-statistics/enrollments.html>
5. Hillary Ojeda. April 18, 2023. “Explainer: What is UCSC’s plan to add 8,500 more students by 2040? And where will they all live?” Accessed March 2, 2024.  
<https://lookout.co/what-is-uc-santa-cruz-plan-to-add-8500-students-by-2040-where-will-they-all-live/#:~:text=The%202021%20LRDP%20projects%20that,are%20required%20to%20have%20LRDPs.>
6. Scott Hernandez-Jason. July 21, 2022. “With limited available campus housing, UC Santa Cruz to start offering assignments to students on general wait list.” *UC Santa Cruz Newscenter*. Accessed March 2, 2024.  
<https://news.ucsc.edu/2022/07/housing-update-general-waitlist.html#:~:text=Dem and%20for%20on%2Dcampus%20housing,wishes%20to%20live%20on%20campus.>
7. City of Santa Cruz Planning and Development. January 25, 2022. “130 Center Street Project.” Accessed March 2, 2024.  
<https://www.cityofsantacruz.com/government/city-departments/planning-and-community-development/planning-division/active-planning-applications-and-status/significant-project-applications/130-center-street>
8. City of Santa Cruz Economic Development and Housing. January 10, 2024. “Measure O For Rent Units.” Accessed March 2, 2024.  
<https://www.cityofsantacruz.com/government/city-departments/economic-development/housing-assistance-information/housing-programs/measure-o-inclusionary-housing/measure-o-for-sale-units-copy>
9. Santa Cruz Civil Grand Jury. June 2, 2023. *2022-2023 Santa Cruz Civil Grand Jury Report. Housing Our Workers – Essential Workers Need Affordable Housing!* Accessed May 1, 2024.  
[https://santacruzcountyca.gov/Portals/0/County/GrandJury/GJ2023\\_final/2023-4\\_Housing\\_Report.pdf](https://santacruzcountyca.gov/Portals/0/County/GrandJury/GJ2023_final/2023-4_Housing_Report.pdf)

10. DIANA ALFARO, DON LANE AND ELIZABETH MADRIGAL. November 30, 2023. "Here's what they don't tell you about the Housing for People ballot initiative." Accessed February 28, 2024.  
<https://lookout.co/heres-what-they-dont-tell-you-about-the-housing-for-people-ballot-initiative/>
11. City of Santa Cruz Economic Development and Housing. January 10, 2024. "Measure O For Rent Units." Accessed March 2, 2024.  
<https://www.cityofsantacruz.com/government/city-departments/economic-development/housing-assistance-information/housing-programs/measure-o-inclusionary-housing/measure-o-for-sale-units-copy>
12. Kara Meyberg Guzman. January 15, 2020. "Santa Cruz raises affordability bar for housing projects." Accessed March 2, 2024.  
<https://santacruzlocal.org/2020/01/15/santa-cruz-raises-affordability-bar-for-housing-projects/>
13. Code Publishing Company. January 15, 2022. "Chapter 24.16.025 STANDARDS FOR INCLUSIONARY UNITS." Accessed March 2, 2024.  
<https://www.codepublishing.com/CA/SantaCruz/html/SantaCruz24/SantaCruz2416.html#24.16.025>
14. Code Publishing Company. February 2, 2019. "Chapter 17.10, AFFORDABLE HOUSING REQUIREMENTS." Accessed February 2, 2024.  
<https://www.codepublishing.com/CA/SantaCruzCounty/html/SantaCruzCounty17/SantaCruzCounty1710.html>
15. Code Publishing Company. February 2, 2019. "Chapter 24.16.045 CONTINUED AFFORDABILITY AND INITIAL OCCUPANCY." Accessed January 26, 2024.  
<https://www.codepublishing.com/CA/SantaCruz/html/SantaCruz24/SantaCruz2416.html>
16. Code Publishing Company. February 2, 2019. "Chapter 24.16.045 CONTINUED AFFORDABILITY AND INITIAL OCCUPANCY." Accessed March 2, 2024.  
<https://www.codepublishing.com/CA/SantaCruz/html/SantaCruz24/SantaCruz2416.html#24.16.045>
17. Confidential Grand Jury interview.
18. Confidential Grand Jury interview.
19. Confidential Grand Jury document.
20. City of Santa Cruz Council. December 27, 2018. "RESOLUTION NO. NS-29,463." Accessed February 2, 2024.  
<https://www.cityofsantacruz.com/home/showpublisheddocument/74693/636833119903070000>

21. Santa Cruz Sentinel staff. March 10, 2024. “Mayor’s Message | Affordable housing goal remains elusive.” Accessed March 10, 2024.  
<https://www.santacruzsentinel.com/2024/05/31/mayors-message-affordable-housing-goal-remains-elusive/>
22. City of Santa Cruz Economic Development and Housing. February 13, 2022. “Measure O/Inclusionary Housing: DRAFT Inclusionary Housing Financial Feasibility Analysis - Rental Residential Development.” Accessed February 13, 2024.  
<https://www.cityofsantacruz.com/government/city-departments/economic-development/housing-assistance-information/housing-programs/measure-o-inclusionary-housing>
23. Confidential Grand Jury interview.
24. Housing Authority of the County of Santa Cruz. January 1, 2023. “Allowances And Limits.” Accessed January 1, 2024.  
<https://hacosantacruz.org/allowances-and-limits/>
25. Zachary Olmstead. April 30, 2020. “State Income Limits for 2020.” *DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT DIVISION OF HOUSING POLICY DEVELOPMENT*. Accessed January 20, 2024.  
<https://www.hcd.ca.gov/grants-funding/income-limits/state-and-federal-income-limits/docs/income-limits-2020.pdf>
26. Zachary Olmstead. April 30, 2023. “State Income Limits for 2023.” *DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT DIVISION OF HOUSING POLICY DEVELOPMENT*. Accessed January 22, 2024.  
<https://www.hcd.ca.gov/sites/default/files/docs/grants-and-funding/income-limits-2023.pdf>
27. City of Santa Cruz Economic Development and Housing. April 13, 2021. “Measure O/Inclusionary Housing: DRAFT Inclusionary Housing Financial Feasibility Analysis - Rental Residential Development.” Accessed January 20, 2024.  
<https://www.cityofsantacruz.com/government/city-departments/economic-development/housing-assistance-information/housing-programs/measure-o-inclusionary-housing>
28. City of Santa Cruz Economic Development and Housing. March 30, 2023. “Measure O Resolutions and Ordinances.” Accessed January 22, 2024.  
<https://www.cityofsantacruz.com/government/city-departments/economic-development/housing-assistance-information/housing-programs/measure-o-inclusionary-housing/measure-o-resolutions->
29. Santa Cruz Local Staff. March 26, 2024. “831 Almar Ave., housing, shops and industrial space.” Accessed April 22, 2024.  
<https://santacruzlocal.org/housing-and-construction/831-almar-ave/>

30. Zachary Olmstead. April 30, 2020. "State Income Limits for 2020." *DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT DIVISION OF HOUSING POLICY DEVELOPMENT*. Accessed January 22, 2024. <https://www.hcd.ca.gov/grants-funding/income-limits/state-and-federal-income-limits/docs/income-limits-2020.pdf>
31. Confidential Grand Jury document.
32. Confidential Grand Jury document.
33. City of Santa Cruz Economic Development and Housing. April 13, 2021. "Measure O/Inclusionary Housing: DRAFT Inclusionary Housing Financial Feasibility Analysis - Rental Residential Development." Accessed January 20, 2024. <https://www.cityofsantacruz.com/government/city-departments/economic-development/housing-assistance-information/housing-programs/measure-o-inclusionary-housing>
34. City of Santa Cruz Economic Development and Housing. April 13, 2021. "Measure O/Inclusionary Housing: DRAFT Inclusionary Housing Financial Feasibility Analysis - Rental Residential Development." Accessed January 20, 2024. <https://www.cityofsantacruz.com/government/city-departments/economic-development/housing-assistance-information/housing-programs/measure-o-inclusionary-housing>
35. City of Santa Cruz Economic Development and Housing. April 5, 2023. "Measure O FAQ Page." Accessed January 26, 2024. <https://www.cityofsantacruz.com/government/city-departments/economic-development/housing-assistance-information/housing-programs/measure-o-inclusionary-housing/general-measure-o-eligibility>
36. City of Santa Cruz Economic Development and Housing. April 5, 2023. "Measure O FAQ Page." Accessed January 26, 2024. <https://www.cityofsantacruz.com/government/city-departments/economic-development/housing-assistance-information/housing-programs/measure-o-inclusionary-housing/general-measure-o-eligibility>
37. City of Santa Cruz Economic Development and Housing. April 5, 2023. "Measure O FAQ Page." Accessed January 26, 2024. <https://www.cityofsantacruz.com/government/city-departments/economic-development/housing-assistance-information/housing-programs/measure-o-inclusionary-housing/general-measure-o-eligibility>
38. Confidential Grand Jury document.
39. Confidential Grand Jury document.
40. Confidential Grand Jury document.
41. Confidential Grand Jury document.



42. Confidential Grand Jury interview.
43. Housing Authority of the County of Santa Cruz. April 5, 2020. “Housing Choice Voucher (Section 8) Program For Landlords.” Accessed January 26, 2024.  
<https://hacosantacruz.org/program/housing-choice-voucher-section-8-program-for-landlords/>
44. Confidential Grand Jury interview.
45. Confidential Grand Jury interview.
46. Confidential Grand Jury interview.
47. Confidential Grand Jury interview.
48. Confidential Grand Jury interview.
49. Confidential Grand Jury document.
50. Confidential Grand Jury document.
51. Code Publishing Company. February 2, 2019. “Chapter 24.16 AFFORDABLE HOUSING PROVISIONS.” Accessed January 26, 2024.  
<https://www.codepublishing.com/CA/SantaCruz/html/SantaCruz24/SantaCruz2416.html>
52. US News staff. August 1, 2022. “University of California, Santa Cruz Student Life.” *US News and World Report*. Accessed March 2, 2024.  
<https://www.usnews.com/best-colleges/university-of-california-santa-cruz-1321/student-life#:~:text=University%20of%20California%2C%20Santa%20Cruz%20has%20a%20total%20undergraduate%20enrollment.of%20students%20live%20off%20campus.>
53. Hillary Ojeda. April 18, 2023. “City of Santa Cruz, UCSC in talks to possibly end lawsuits over enrollment and housing plans.” Accessed March 12, 2024.  
<https://lookout.co/city-of-santa-cruz-ucsc-in-talks-end-lawsuit-over-student-enrollment-housing-plans>
54. Confidential Grand Jury interview.
55. Confidential Grand Jury interview.

## Appendix A – Low and Very Low Income Rent Formula Tables for Santa Cruz

<b>2023</b> <b>MAXIMUM ALLOWABLE <u>LOW INCOME</u> BY HOUSEHOLD SIZE &amp; MAXIMUM RENTS BY UNIT SIZE</b> <b>RENTAL OF AN INCLUSIONARY UNIT</b> <b>Per Resolution No. NS-16,452</b>  EFFECTIVE JULY 1, 2023 <sup>1</sup>								
Household/ Unit Size	1 Person/ Studio	2 Person/ 1- bedroom	3 Person/ 2- bedroom	4 Person/ 3- bedroom	5 Person/ 4- bedroom	6 Person/ 5- bedroom	7 Person/ 6- bedroom	8 Person/ 7- bedroom
<b>STEP 1: Determine HUD Median Income (100% AMI) by Household Size - Note 1</b>	\$92,950	\$106,250	\$119,500	\$132,800	\$143,400	\$154,050	\$164,650	\$175,300
<b>STEP 2: Reduce Step 1 by 8.16% - Note 2</b>	\$85,365	\$97,580	\$109,749	\$121,964	\$131,699	\$141,480	\$151,215	\$160,996
<b>STEP 3: Multiply Step 2 by 80% for the Maximum Income Limit Maximum Allowable Household Income - Note 3</b>	<b>\$68,292</b>	<b>\$78,064</b>	<b>\$87,799</b>	<b>\$97,571</b>	<b>\$105,359</b>	<b>\$113,184</b>	<b>\$120,972</b>	<b>\$128,796</b>
<b>STEP 4: Divide Step 3 by 12 for Maximum Allowable Monthly Income - Note 4</b>	\$5,691	\$6,505	\$7,317	\$8,131	\$8,780	\$9,432	\$10,081	\$10,733
<b>STEP 5: Multiply Step 3 by 25% for Maximum Rent (Owner Pays all Utilities) - Note 5</b>	<b>\$1,423</b>	<b>\$1,626</b>	<b>\$1,829</b>	<b>\$2,033</b>	<b>\$2,195</b>	<b>\$2,358</b>	<b>\$2,520</b>	<b>\$2,683</b>

1. U.S. Dept. of Housing and Urban Development (HUD limits) <https://www.huduser.gov/portal/datasets/il/II2022/2022summary.odn> effective May 15, 2023, and the California Dept. of Housing and Community Development memo (HCD limits) <https://www.hcd.ca.gov/sites/default/files/docs/grants-and-funding/income-limits-2023.pdf> effective June 6, 2023. HCD adds extremely low, median and moderate incomes adjusted for household size and area housing costs.  
 2. Percentage difference between the 1980 City and County median family incomes as determined in the 1980 census (8.16%)  
 3. Maximum allowable annual gross income and assets for below-average/low-income households (80%)<sup>5</sup>  
 4. Maximum allowable monthly income and assets<sup>6</sup>  
 5. Maximum allowance for housing cost, including utilities. Utility costs are those established by the Santa Cruz County Housing Authority in conjunction with the Section 8 Rent Subsidy Program and are available online at [https://hacosantacruz.org/wp-content/uploads/2022/12/050705\\_SC-UA\\_eff.1.01.23.pdf](https://hacosantacruz.org/wp-content/uploads/2022/12/050705_SC-UA_eff.1.01.23.pdf). If the tenant pays for any utilities, the maximum allowable rent must be reduced in accordance with the current Utility Allowance schedule.  
 6. The maximum allowable assets for households seeking to rent inclusionary units shall be those limits established periodically by the Santa Cruz Housing Authority for the Section 8 Rental Assistance Program or its successor.  
 Q:\PLHR\Incomes & Rents\MEASURE O FOR RENT\2023\WORD-pending update 2023\RENTAL16452.doc

Figure 3: Complete Low Income Rent Formula<sup>[26]</sup>

**2023**  
**MAXIMUM ALLOWABLE VERY-LOW INCOME BY HOUSEHOLD SIZE & MAXIMUM RENTS BY UNIT SIZE**  
**RENTAL OF AN INCLUSIONARY UNIT**  
**Per Resolution No. NS-22,400**

EFFECTIVE JULY 1, 2023<sup>1</sup>

Household/ Unit Size	1 Person/ Studio	2 Person/ 1-bedroom	3 Person/ 2-bedroom	4 Person/ 3-bedroom	5 Person/ 4-bedroom	6 Person/ 5-bedroom	7 Person/ 6-bedroom	8 Person/ 7-bedroom
<b>STEP 1: Determine HUD Median Income (100% AMI) by Household Size - Note 1</b>	\$92,950	\$106,250	\$119,500	\$132,800	\$143,400	\$154,050	\$164,650	\$175,300
<b>STEP 2: Multiply Step 1 by 50% for the Maximum Income Limit Maximum Allowable Household Income - Note 2</b>	<b>\$46,475</b>	<b>\$53,125</b>	<b>\$59,750</b>	<b>\$66,400</b>	<b>\$71,700</b>	<b>\$77,025</b>	<b>\$82,325</b>	<b>\$87,650</b>
<b>STEP 3: Divide Step 3 by 12 for Maximum Allowable Monthly Income - Note 3</b>	\$3,873	\$4,427	\$4,979	\$5,533	\$5,975	\$6,419	\$6,860	\$7,304
<b>STEP 4: Multiply Step 3 by 30% for Maximum Rent (Owner Pays all Utilities) - Notes 4 &amp; 6</b>	<b>\$1,162</b>	<b>\$1,328</b>	<b>\$1,494</b>	<b>\$1,660</b>	<b>\$1,793</b>	<b>\$1,926</b>	<b>\$2,058</b>	<b>\$2,191</b>

1 U.S. Dept. of Housing and Urban Development (HUD limits) <https://www.huduser.gov/portal/datasets/il/il2022/2022summary.odn> effective May 15, 2023 and the California Dept. of Housing and Community Development memo (HCD limits) <https://www.hcd.ca.gov/sites/default/files/docs/grants-and-funding/income-limits-2023.pdf> effective June 6, 2023. HCD adds extremely low, median and moderate incomes adjusted for household size and area housing costs.

2 Maximum allowable annual gross income and assets<sup>5</sup> for very-low income households (50%) per Zoning Ordinance Section 24.22.527

3 Maximum allowable monthly income and assets<sup>5</sup>

4 Maximum allowance for housing cost, including utilities. Utility costs are those established by the Santa Cruz County Housing Authority in conjunction with the Section 8 Rent Subsidy Program and are available online at [https://hacosantacruz.org/wp-content/uploads/2022/12/050705\\_SC-UA\\_eff.1.01.23.pdf](https://hacosantacruz.org/wp-content/uploads/2022/12/050705_SC-UA_eff.1.01.23.pdf). If the tenant pays for any utilities, the maximum allowable rent must be reduced in accordance with the current Utility Allowance schedule.

5 The maximum allowable assets for households seeking to rent inclusionary units shall be those limits established periodically by the Santa Cruz County Housing Authority for the Section 8 Rental Assistance Program or its successor.

6 For single-room occupancy units (SRO) with shared kitchen and/or bathroom, the maximum rent shall not exceed 75% of the maximum studio/1-person rent = **\$871**  
 For single-room occupancy units (SRO) with kitchen and bathrooms in each unit, the maximum rent shall not exceed 85% of the maximum studio/1-person rent = **\$988**

Q:\PLHR\Incomes & Rents\MEASURE O FOR RENT\2023\WORD-pending update 2023\RENTAL22400\_VeryLow.doc

**Figure 4: Complete Very Low Income Rent Formula<sup>[26]</sup>**

[This page intentionally left blank.]



**SANTA CRUZ COUNTY**  
Civil Grand Jury

701 Ocean Street, Room 318-I  
Santa Cruz, CA 95060  
(831) 454-2099  
grandjury@scgrandjury.org

## **New Recruiting Ideas for the Personnel Department**

### **Residents Deserve a Fully Staffed Workforce**

---

#### **Summary**

County residents rely on fully staffed County agencies to provide timely services. Prior Grand Jury reports and media articles both point out chronic staffing shortages in key departments. This report explores the root causes and suggests specific actions that the County Personnel Department could take. These actions, which could help all other departments fill their vacancies more quickly, include:

- Improve the website search engine optimization to increase visibility of job listings.
- Adopt a countywide integrated HR software platform.
- Add department-specific recruiting expertise and bandwidth.
- Publish per-position candidate pool policies and hiring results on a semi-annual basis.
- Guide departments to strengthen “Promote from Within” programs and embrace continual improvement for advancement.
- Improve communication to candidates during recruitment and make current candidate status easily available.
- Increase transparency of Personnel Data by using a countywide Dashboard.
- Conduct a salary comparison study based on nearby counties which have recently hired County employees.
- Engage external expertise, such as peers and consultants, in order to improve hiring processes.

The Grand Jury’s hope is that making progress toward full staffing will improve service levels to residents and improve the morale of current County employees.

## Table of Contents

<b>Summary</b>	<b>1</b>
<b>Table of Contents</b>	<b>2</b>
<b>Background</b>	<b>3</b>
<b>Scope and Methodology</b>	<b>3</b>
<b>Investigation</b>	<b>3</b>
What is Holding Back Hiring?	5
Looking for More and Better Candidates	6
Faster Per-position Result	9
In-house, Bottom Up Advancement	14
<b>Conclusion</b>	<b>15</b>
<b>Findings and Recommendations</b>	<b>16</b>
Group 1: Fast-track Candidate Pool Quality / Quantity	16
Group 2: Improve Hiring and Recruitment Results	17
<b>Commendations</b>	<b>18</b>
<b>Required Responses</b>	<b>19</b>
<b>Invited Responses</b>	<b>19</b>
<b>Definitions</b>	<b>19</b>
<b>Sources</b>	<b>19</b>
References	19
<b>Appendix A – Supporting Figures</b>	<b>23</b>
National Low Income Housing Coalition for Housing Report	23
County Personnel Recruitment and Examination Flow Chart	24

---

## Background

The charter of the Grand Jury is to identify areas where local agencies can improve effectiveness and efficiency. Past reports from the 2022-2023 Grand Jury noted that staffing shortages and long recruitment processes kept County agencies and departments from delivering required services.

The focus of this investigation is to highlight issues and opportunities to accelerate the hiring for difficult to fill positions across county departments. The end goal is improved skills and processes that deliver fully staffed agencies with top quality people. Long term positive outcomes can be fewer vacancies, shorter recruitment times, improved staff morale and higher employee retention rates.

## Scope and Methodology

Specific issues that the Grand Jury investigated included:

1. The frequently lengthy process from posting to hiring.
2. Inconsistent recruiting practices across departments.
3. Analysis of the root causes of slow hiring processes.
4. The lack of accurate integrated recruiting and hiring data.
5. The lack of status information to in-process candidates.
6. Continuous vacancies taking months to fill, especially for supervisors and those requiring professional licenses.

The Grand Jury is very aware that processes at the County agency level take time to change. This report guides residents through issues as well as opportunities for near term process improvement. This investigation completed these tasks:

1. Compared an ideal hiring process to how the County operates today. This includes reviewing today's current best practices in recruiting for government jobs.
2. Evaluated practices in neighboring counties. This includes current technology being used.
3. Interviewed County staff across agencies and roles, as well as external experts. Specifically, that included Personnel Department staff and other County department's staff tasked with hiring and recruiting. Recent hires were interviewed to understand their perspective on the process.
4. The Grand Jury looked for gaps in the current County recruiting policy.
5. Reviewed statistics from the Personnel Department recruitment reports.
6. Looked at "out of the box" approaches to improving access to candidates for difficult to fill job profiles.

## Investigation

The Grand jury interviewed a cross section of Personnel and Departmental staff, new hires and experts in Human Resources well educated in best practices. Figure1 below is a composite of a number of interviews that describe County recruitment experiences.

Imagine you are a resident of Santa Cruz County working over the hill. You are considering a job working for Santa Cruz County, which is much closer to home. You have a job, but you are tired of the private sector and commuting over Highway 17.

You have heard the pay in Santa Cruz County is much less than Santa Clara County, but you are ready for a change regardless. And you heard there are good benefits with government jobs.

You have rented a home for many years in Santa Cruz with a great landlord. Since you have been a good tenant, you have a below market rent. So you wouldn't want to move closer to your current job. You feel fortunate because you have heard Santa Cruz is the highest priced rental market in the country and, besides, you like the Santa Cruz lifestyle.

Searching "Santa Cruz County jobs," Google offers several websites, mostly consolidators of jobs, not necessarily the Santa Cruz County website. Your search also takes you directly to the Santa Cruz Probation Department website, but also to the Personnel Department website. You can see that the County is not using up to date Search Engine Optimization techniques (SEO) that help a website rank on the first page of browser results. On the Personnel website you find a link for open positions with the County and begin searching for analyst jobs in IT.

Just your luck you find a data analyst opening but there is no indication as to which Department you would be applying. You send off the application and wait. You quickly get an acknowledgement form letter. Two weeks later you receive an email indicating you did not make a top ten list of applicants and your name will not be submitted to the hiring manager for consideration. You are told if you want to wait they will call you if candidates fall off the list and you are moved up.

Six months go by. It's June, and you have written off the possibility of getting a position with the County. Then, you get a call from someone in the Personnel Department asking if you're still interested. Lucky for the County, you have held onto your current job! So you express interest in pursuing a position with the County. You are told that you will be called back soon.

A couple weeks go by and you get the call. You are told you may now be considered, but there are several steps to take before you are determined to be qualified to work for the County. You are then scheduled to take the required tests and pass a background check. Once again you wait. In August you are called for an interview with a hiring manager. You thought you had applied for a position in IT, but this is an interview for a new position in the Health Services Agency. Unbeknownst to you, the application you filled out was for a generic data analyst position. You go ahead with the interview and it seems to go well. And you wait.

It's October and you are notified that you got the job. Congratulations! The position is not exactly what you expected, but the salary being offered is fair and you accept the position.

Your start date is set for November. The time from submitting your application until your date of hire is 11 months. How many people would be able to endure this process? There must be a better way.

**Figure 1** Composite of confidential interviewee's recruitment experiences.



For this report the Grand Jury examined only recruiting and hiring processes. The investigation found several opportunities for process improvement. This report will highlight some of the current obstacles and alternative approaches for building strong candidate pools. Without a solid pool of candidates, hiring managers have limited choices.

### ***What is Holding Back Hiring?***

There are many reasons Santa Cruz County takes a back seat to other counties as an ideal employer. Externals include housing costs, post-Covid tight job market, salary competition with private industry/Santa Clara County, and license/credential requirements. County government issues examined include lengthy processes, wage disparity, lack of communication with candidates, poorly-written job descriptions, no designated recruiters, and others.

Of particular note is that post-Covid, employment for skilled professionals in Santa Cruz County has been turned inside out. Local employers, including the County, could previously rely on the attractiveness of the area lifestyle to overcome salary limitations. The opposite is now true. Higher salaries over the hill, combined with flexible hybrid work, have made Santa Cruz County an ideal place to live but not to work. Housing and rental prices are proof.<sup>[1]</sup> Santa Cruz was **number one** in average wage needed to rent a two bedroom in the Santa Cruz country according to the National Low Income Housing Coalition for Housing report.<sup>[2]</sup> See Figure 6 in [Appendix A](#).

The irony is inescapable. Skilled County employees receive below market wages, have limited remote work options, and cannot afford housing in core cities.

### **An “Ideal” Hiring and Development Process**

The following are best practices gleaned from several sources.<sup>[3] [4] [5] [6]</sup>

- Management commitment to continual improvement. For instance, embracing the principle that best practices change and all employees can provide insights. Soliciting these ideas improves current employee morale because they feel heard.
- Consistently strong candidate pools are formed when an organization combines a strong brand, savvy marketing, and competitive postings.
- Good integrated data, combined with analysis, to improve performance.
- Fast hiring cycles with strong governance for required skills and certifications.
- Encouraging all employees to seek more senior positions. Building from within can reduce job-hopping to higher paying localities.
- Fast track advancement for qualified staff based on established processes and management support.

### **Variability in Hiring Success**

There is a consistent pattern in filling available positions within County Departments. Hiring is most efficient for entry level positions, especially with a candidate pool of qualified applicants. Other positions are difficult to fill and may remain vacant for long periods of time. This is especially true for the Health Services Agency (HSA), Human

Services Department (HSD) and Public Works Department (PWD). The Sheriff's office has had problems hiring for several years. Examples of the hard-to-hire positions:

1. Positions requiring a specialized degree or credential (e.g., doctors, nurses, and licensed social workers).<sup>[7] [8]</sup>
2. Higher level supervision (e.g., department supervisors).<sup>[9]</sup>
3. Jobs with difficult working conditions (e.g., correction officers at the jails).<sup>[10]</sup>
4. Positions that directly compete with private sector openings (e.g., IT positions).<sup>[11] [12] [13]</sup>

Recruiting and hiring requires close collaboration between departments and Personnel. There are some noted hiring gaps. Opportunities to improve them are discussed in sections below.

### **Impact of Hiring Gaps**

Hiring gaps examined in this report reduce quality of life for county residents. Consider these cause and effect scenarios:

- Lack of nurses in the Health Services Agency can limit care for patients.
- Understaffed social worker teams in the Human Services Agency can compromise family and child safety.
- In the Planning department, staff shortages for permitting, plan review and inspections can lengthen the housing recovery time for fire victims or development of additional housing.
- Open supervisor positions across all departments puts additional burdens on senior administrators.<sup>[14]</sup>

### **No Data, No Answers**

For the most part, County Personnel was unable to give the Grand Jury accurate report data based on common recruitment measures. As a result, most of our information came from interviews. This is unfortunate since such metrics capture data points used to track, manage, and optimize recruitment processes. Because they are so critical, they are continually captured as standard practice by many peer government organizations.<sup>[15]</sup> The lack of such published data in Santa Cruz County is an important fact for readers of this report.

Documenting which functions and practices are efficient allows departments to see which recruitment methods need improvement. Two examples are average recruitment time data and vacancy rate trend data. This would help departments and the County Personnel Department assess the results of their hiring process and the effectiveness of their hiring strategies.

### **Looking for More and Better Candidates**

Rapidly gathering an adequate candidate pool is essential for filling critical vacancies. For many positions that are easier to hire, a pool of qualified candidates can readily be created. This is not the case for more specialized and senior positions.

**Without Salary Parity, Limited Candidate Interest**

A salary comparison done by the Grand Jury comparing Santa Cruz County and Santa Clara County posted salaries indicates that Santa Cruz County compensation is generally lower, on average 17% lower.<sup>[16]</sup> As a result, experienced entry level staff frequently seek out jobs over the hill to advance their careers.

Figure 2 below is a snapshot comparison of a handful of open positions at the County as of February 25, 2024 demonstrating this salary disparity.

Date Viewed	The Job Opportunity	Salary - Santa Cruz County	Salary - Santa Clara County	Compared to Santa Clara	Salary - Monterey County	Compared to Monterey
Feb.25, 2024	Clinical Nurse II	\$106,728- \$124,848	\$150,552- \$182,996	68-70%	\$103,224- \$140,964	103- 88%
Feb.25, 2024	Clinical Nurse III	\$118,116- 138,084	\$165,607- \$221,963	62-72%	\$165,840- \$226,392	61- 71%
Feb.25, 2024	Deputy Sheriff- Lateral	\$97,944- \$131,208	\$111,662- \$135,742	59-62%	\$89,004- \$121,560	108-108%
Feb.25, 2024	Deputy Sheriff- Cadet	\$93,608- \$131,208	\$103,731	91-127%	\$72,324	129-181%
Feb.25, 2024	Corrections Officer- Lateral	\$78,516- \$105,012	\$110,032- \$133,752	70-79%	\$82,276- \$114,684	95-82%
Feb.25, 2024	Psychologist	\$106,056- \$134,160	\$139,986- \$170,152	75-78%	\$93,240- \$127,464	113-105%
Feb.25, 2024	Public Defender IV	\$182,352- \$221,688	\$226,025- \$281,328	79-80%	121,584- \$206,640	150-107%

**Figure 2.** Snapshot salary comparison for open positions as of 2/25/2024<sup>[17]</sup>

There is a Board of Supervisors approved philosophy that a salary comparison is done comparing our county with eight other Bay Area counties including our neighboring counties, Monterey and Santa Clara.<sup>[18]</sup> Our county strives to be in the middle of the pack of the eight counties.<sup>[19]</sup> Current salary compensation guidelines (defined in 1990 and revised in 2002) call out Napa, Solano, and Contra Costa counties as benchmarks. The cost of living is much lower in those counties and using them for comparison may skew salary estimates lower.<sup>[20]</sup>

**Static Candidate Search Practices Cast a Narrow Net**

Post-Covid, unemployment remains low and prospects have many career choices and see rising salaries. There are now many more candidates today declining job offers not just here but everywhere. Candidates have gotten used to working from home and want to work remotely, but the County does not accommodate this requirement as well as the private sector.<sup>[21]</sup> In response, mainstream candidate search practices have evolved to an “Employee Driven” marketing model.

Adjustments made by other public sector organizations include:

- Position descriptions include more flexible scheduling, including consistent hybrid/remote work.<sup>[22] [23]</sup>
- Advertising and awareness marketing extend further. For example: career fairs, colleges and universities, social media, career panels, community markets and events, in-person job fairs and networking events.<sup>[24]</sup>

The County Personnel Department has done trials with several of these approaches. There has not been a published analysis of cost/benefit analysis for these efforts. There is no public, written guidance for recruiters on best practices.

A couple of examples of pilot projects include:

- Quarterly community workshops on how to get a job with the County.<sup>[25]</sup>
- Employee testimonial videos.<sup>[26]</sup>

In contrast, continual posting remains a long-standing County practice even though it has been shown to be ineffective. In this approach, generic postings are left unchanged on the County website for months.<sup>[27]</sup> Candidates see only stale postings and search engines rank them lower than newer postings from competing employers. Search Engine Optimization tools can help to get ranked higher on the browser list.<sup>[28]</sup>

### **Limited In-process Candidate Communication Stalls Interest**

Contact with candidates is sporadic. The initial communication is with Personnel, not the hiring department, which is often seen as a barrier.<sup>[29]</sup> Applications are acknowledged with a form email. The next contact may be months later, when the candidate is asked to schedule a test or is called in for an interview.

There is no ongoing communication with candidates who are eligible, or information on where they stand in the hiring process.<sup>[30]</sup> Candidates are not able to check their status online and systems are not in place to automatically generate status communications. Since processes and communications rely on manual employee processes, time can be lost and gaps can occur.

### **Candidate Pool Bottlenecks Slow Hiring Decisions**

The recruiting and hiring of county employees follow strict civil service guidelines to ensure fair and equitable hiring. These requirements were put in place many years ago to block unfair hiring practices. Circumstances have changed and some, such as candidate pool sizes, now simply delay the hiring process. Some progress has been made since the Board of Supervisors approved replacing the Rule of 10 with Rule of 5 for some positions.<sup>[31]</sup> Previously the Rule of 10 required Personnel to identify 10 qualified candidates before submitting the candidate list to the hiring manager. This requirement was reduced to 5 candidates. However, there remain many rules which - while well intended to avoid the “spoils” system of the past - remain as obstacles to efficient hiring at the County.

Provisional hiring is a means to bring onboard highly qualified candidates for more specialized positions while a determination is made as to their civil service qualifications

and while their credentials are checked. This has only been rarely used in Santa Cruz County to accelerate hiring. When it is used, it has been successful in persuading candidates to wait out the months-long processes.

### **Extended Time to Hire Slows Departments**

Due to practices described above, the process in use today often takes six months to a year. Candidates frequently accept other opportunities before the Personnel department makes an offer. Normally, public sector hiring takes three times longer than the private sector for higher level, special skills or credentialed positions.<sup>[12]</sup> This is another factor that puts Santa Cruz County at a huge disadvantage. The end result is service gaps for residents and increased workload for existing staff.

### **Faster Per-position Result**

The prior section looked at difficulties in attracting sufficient candidates. This section looks at how to move from a pool of candidates to a hired employee.

### **Limited Agency-specific Recruitment Skills**

We found that most County departments and programs lacked dedicated hiring managers. Most of the time department managers, in addition to their regular duties as administrators, are also charged with hiring. These managers often lack personnel hiring experience.<sup>[32]</sup> The exception is the Sheriff's department, which has an officer dedicated as a recruiter. However, comparable large departments such as HSA, HSD and Public Works, with similar complex position requirements, do not.

Typically, the most difficult positions to hire for are psychiatrists, senior medical specialists, social workers, nurses, and senior building officials. These are all positions that require specialized knowledge as well as a license.<sup>[8]</sup>

### **Human Resources Best Practices**

The Grand Jury interviewed a Human Resources expert with many years' experience consulting for California cities and counties to improve their HR practices. The consultant sampled some advertised open positions on the County Personnel website.

One Santa Cruz County job description for an engineer, for example, was not interesting to prospective candidates.

- The salary description was monthly (not annual), the salary that was listed later in the ad used a range without any context.
- There was nothing compelling in content when compared to another rural county entity's job description for an engineer that included multi-media links talking up the job, with multiple pictures.
- Best practice was to write a job description from the perspective of what the candidate is looking for and would be interested in. An engineer would love to see a link to current County projects to see what they might be working on if hired.<sup>[33]</sup> Simply running an ad does not work today.<sup>[34]</sup>

The consultant recommended several best practices which were divided into four categories:

- Effective advertising methods for open positions
- Creative “outside the box” recruiting tips
- Managing new hires for retention and promotion
- Obtaining new recruits from employees.

***Best Practices for Effectively Advertising Open Positions:***

- Personnel staff and the department hiring manager should co-write the job announcement and supplemental questions. Often HR develops an initial draft, based on priorities articulated by the hiring manager and key details of the job description plus required EEO/ADA language.<sup>[35]</sup>
- Show hourly salary for entry-level and part-time jobs and annual salary for journey-level and above. It is acceptable to list both hourly and annual salary ranges.<sup>[36]</sup>
- Include a benefit summary, with links to a graphic presentation “selling” benefits to potential applicants.<sup>[37]</sup>
- Sell the job opening to qualified candidates by highlighting key features of the job to the target market. The common element here is blending specific job tasks with benefits and tapping into the reason folks choose a specific career path.<sup>[38]</sup>
- Continuous postings should be refreshed every month. This includes updating the posting date, so web crawlers and search engines will “see” the posting as new. Another best practice is to add new information each month, such as “Next Application review date: Oct 30. All applications received by that date will be reviewed by the hiring manager within 2 weeks.”<sup>[27] [39] [40]</sup>
- Contact each applicant within one week of the close of any job posting with a status update.<sup>[41]</sup>
- Departments with chronic staff shortages would benefit from opening social media accounts where information about department happenings and future open positions may be highlighted.<sup>[42]</sup>

As an example of best practice innovation to increase exposure, the Sheriff’s Department has its own Facebook and Instagram accounts and attends law enforcement job fairs.

The Personnel Department has implemented a wide variety of outreach methods which have had some success. These methods include social media, online job boards, career panels, information sessions, direct US mailings, direct emails, direct phone calls, attending community events (Farmer’s markets, Pride Day, County Fair), attending online and in-person job fairs and internship fairs, radio ads, newspaper ads, fliers posted at local businesses, attending professional conferences and networking events.

**Best Practices for creative “outside the box” recruiting:**

- A referral bonus is another nice perk for current staff. An employee contest or reward program can be fun and effective. Some departments use a payment split: 50% on hire; 50% when the probation period is successfully passed.<sup>[43]</sup>
- Use job titles and keywords that resonate with current industry nomenclature even if they do not match the County’s current job title.<sup>[32]</sup>
- Provide candidate immediate access to the hiring manager if they clearly appear to be a good candidate.<sup>[44]</sup>
- Have a union rep present during the interview process. This sensitizes the union member to what the process is and promotes a better understanding from the hiring manager's point of view. By collaborating with the union representative for creative ways to meet civil service requirements it may be possible to come up with unique ways to hire good candidates.<sup>[45]</sup>

**Best Practices for managing new hire retention and promotion:**

- Investing in communication skills for leads, supervisors and managers is vital, so they have the tools to effectively lead their staff. Recommend coaching and mentoring trainings.<sup>[46]</sup>
- Establish regular meetings throughout the probationary period with feedback on performance and expectations. This allows the supervisor to assess if assignments are appropriate, and/or if additional resources are needed to help an employee. It also helps the employee to have a clear idea of how well they are doing.<sup>[3]</sup>

**Best practices for obtaining new recruits from employees:**

- Annual reviews that include a professional development training plan will actively encourage staff to improve their skill for advancement. This can help retain valuable employees, while helping struggling employees improve and feel good about staying with an employer long-term.<sup>[47]</sup>

**Complex and Intertwined Personnel Department and Agency Roles**

The County Personnel Department covers many areas within the Human Resources operations besides recruiting. These include employee payroll and benefits, state and federal compliance issues, employee grievances and union collective bargaining issues.

As a result, data is not readily available and acted upon. County Personnel staff are not as familiar as they could be with current data on vacancies across the departments they serve, time to hire, retention rates, etc.<sup>[48]</sup> They wait for the department or agency to report a need for new hires. The data is held within the departments. Because of this, consolidated county-wide job vacancy data is not available.

Home grown tracking systems and spreadsheets to capture hiring information continue to be used in this county. Data collection is therefore labor intensive and inefficient.

From Personnel Department interviews, Figure 3 below is an outline of the hiring process.

1. A vacancy opens up. The hiring manager fills out the required form and submits it to the Personnel Department.
2. After review by the Personnel technician, the hiring manager signs off on the forms.
3. Personnel may already have a list of candidates which can be filtered to identify suitable candidates for a particular position.
4. The list is shared with the department hiring manager.
5. The hiring manager reviews the list.
6. The hiring department and Personnel jointly oversee candidate qualification evaluation, testing, background checks, and training if required.
7. The Personnel technician takes part in weekly follow up meetings with the hiring manager.
8. Candidates are identified.
9. The hiring manager does reference checks.
10. The Personnel technician does paperwork and completes a Payroll Action Form.
11. The form goes to the Records team for audit.
12. A pay grade is assigned to the candidate.
13. Personnel clears the hire.
14. The Personnel technician then contacts the candidate and schedules them for in-processing.
15. A welcome letter with onboarding information is sent to the candidate.

**Figure 3:** Santa Cruz County Hiring Process Steps.<sup>[49]</sup>

Every recent hire interviewed said it takes at least six to twelve months to fill a County position.<sup>[34]</sup> Sometimes things slow down because of the government hiring process.<sup>[50]</sup> For example, candidates fill out tests and essays not necessarily for the position they will be eventually offered. In other cases, it is because the hiring managers take months to interview candidates provided by Personnel causing candidates to lose interest.<sup>[51]</sup> Everyone seems to be resigned to the long process.<sup>[52]</sup> The Hiring Flow Chart in Figure 7 in [Appendix A](#) shows it is a complicated process that a candidate must endure.

Many peer agencies rely on integrated software tools to automate such processes and integrate data gathering.<sup>[53]</sup> Most importantly, these tools free up managers from manual paperwork tasks in order to focus on sourcing, interviewing, and hiring. As an example of the value of integrated HR systems, San Francisco reduced hiring time by 40% through streamlining the application, interview and hiring process.<sup>[54]</sup> Specific examples of advantages of using an integrated system are shown in Figure 4 below.



Software capability	Impact on recruiter efficiency and/or candidate perception
Increase pool of qualified applicants.	Reach more candidates all at once, easier to track cost-effectiveness on sourcing targeted applicants.
Easier tracking and screening.	Improved/easier application process for candidates. Screening automated for recruiter and hiring manager.
Immediate response to online application.	No recruiter effort. <sup>[55]</sup> Immediate feedback to candidates.
Candidates can self-schedule interviews.	No recruiter effort. Quickly locks down interaction with the hiring team. Engages candidates, demonstrates their interest.
Job posting content is displayed as easy to follow indexed pages	Easier for candidates to evaluate topics of interest.
Captures recruitment metrics, such as time to hire, recruitment effort results. Generates related reports to track progress.	Lessens time for staff to pull data. Improved process governance, capture of best practices for oversight and planning.
New hire onboarding.	Ensure compliance to policies while making new hires feel welcome.

**Figure 4:** Typical capabilities of integrated HR software packages.<sup>[56]</sup>

### Examples of Online Software Platforms for Organizing Personnel Departments

Candidate Relationship Management (CRM) software streamlines the recruiting and hiring process. Adapting CRM software would complement and/or improve inhouse software and allow the County to more effectively compete with local counties and cities.

**NeoGov** is an example of a company that provides CRM to public and civil service employers. Santa Cruz County currently uses some NeoGov modules for applicant tracking and online training of employees.<sup>[57]</sup> One advantage of using NeoGov is that when an advertisement is posted on the County website, it is also picked up on the NeoGov website.<sup>[58]</sup> Currently NeoGov is used by Watsonville, Santa Cruz City, Los Gatos, San Jose, Monterey, Salinas, Santa Clara County and San Benito County.<sup>[59]</sup> NeoGov saves lots of time because it sends out notices to candidates and allows them to self-schedule interviews.<sup>[60]</sup>

**Careers in Government** is another CRM software system that is available. Their service scrapes subscribers' websites and publishes listings on their own, increasing visibility to potential recruits. It would also push interested candidates back to the County website.<sup>[61]</sup>

**Handshake** is a service that is free where links to County job posting can be posted, increasing visibility to new candidates seeking job opportunities.<sup>[62]</sup>

### **Limited Focus on Accelerating Recruitment and Hiring**

As mentioned above, because administrators also act as hiring managers at agencies such as Public Works, Planning, HSA, and HSD, they are typically very busy people. Time spent on the hiring process is often hard to find. However, a shortage of staffing due to chronic unfilled positions can lead to employee frustration on one hand and overtime charges on the other. Neither is good for these agencies.<sup>[51]</sup>

Personnel Department leadership positions that are filled by long-time employees can be beneficial for the county. But it also has limited the acceptance of new ideas from employees.<sup>[63]</sup> It is important to try new methods that appeal to a new generation of workers and have worked elsewhere in hiring for difficult to fill positions.<sup>[64]</sup>

Agencies depend on the Personnel Department to optimize the hiring process. In many cases peer organization best practices or employee suggestions are available to the Personnel Department to improve efficiency and effectiveness. However, for these ideas to be of any benefit, Personnel Department management must take a leadership role that encourages their evaluation and testing. Continual improvement depends on Personnel Department leadership as well as measurement.<sup>[65]</sup>

### ***In-house, Bottom Up Advancement***

The County has a tremendous resource to draw from - their existing employees. As described above, the Grand Jury found that processes and candidate pools for entry level employees are up to the task.

One hindrance to a bottom up approach is a lack of consistent policies, funding, and training to encourage employees on that path.<sup>[47]</sup> As a result, employees considering advancement often look elsewhere. This is a self-reinforcing downward spiral which reduces the internal talent pool while encouraging some employees to leave. The advantages of promoting from within are described in Figure 5 below.

Existing Employee Characteristic	Advantage to County
Easier to hire a Level 1 and promote to Level 2	More entry level applicants who meet minimum qualifications
Knows the opportunities for advancement	Can track employee progress
Has already secured local housing	Able to work locally without having to commute
Understands local issues	More likely to effectively contribute to innovative organizational solutions
Can make a living at current County wage levels	Less likely to seek out other locations that offer higher wages
Gaining seniority and experience	Becomes more invested in Santa Cruz County organization

Figure 5. Advantages to County departments gained by promoting from within.

**Conclusion**

The Grand Jury recommends changes that improve efficiency and effectiveness of the county’s hiring processes. This is done to improve service levels for County residents that support the local agencies with hard-earned tax dollars.

All of the recommendations below are specific, but do not call out the elephant in the room: County services for residents suffer because management is not able to prioritize staffing levels, or deploy time-saving integrated software, or fix broken processes. Residents deserve the improved services that fully staffed departments can deliver. For county residents, the “just business as usual” attitude of local agencies towards filling these critical vacancies is very concerning.

The Recommendations in this report anticipate continual improvement in County hiring and recruiting. These will result in more completely staffed agencies and departments that deliver high quality services on time with improved morale. The County will accrue cost and time savings through integrated data and processes.

Time is money and the clock is ticking. The Grand Jury thinks this problem is urgent and needs to be addressed now.

## Findings and Recommendations

### **Group 1: Fast-track Candidate Pool Quality / Quantity**

#### **Add Department-level Recruiting Expertise and Bandwidth**

- F1.** Requiring candidates for difficult to fill positions coordinate with Personnel rather than directly with hiring managers in departments slows the hiring process and reduces candidate interest.
- F2.** The Personnel Department recruiter training does not provide recruiter skills to the hiring managers necessary in today's job market.
- F3.** Outdated personnel "candidate pool" rules and Civil Service recruiting policies inadvertently force long term vacancies for supervisory and credentialed positions.
- F4.** By not sending candidates for difficult to fill positions directly to hiring managers the chances of hiring well qualified candidates are reduced.
- F5.** Most county departments lack dedicated hiring managers leading to overloaded administrators.
- R1.** The Grand Jury recommends that by December 31, 2024, in order to reduce the backlog of difficult to fill positions, the Personnel Department creates dedicated recruiter positions for the HSA, HSD and Public Works departments. (F1–F5)

#### **Improve Marketing to Candidates**

**F3** applies to this area as well.

- F6.** The Personnel Department has not changed policies and procedures in the face of fewer candidates applying for County positions resulting in additional vacancies and slower recruitment and hiring processes.
- F7.** The Personnel Department's website advertising continuous open positions without regular updates makes it very difficult for candidates to find opportunities on search engines because the information is stale and not up to date.
- R2.** The Grand Jury recommends that by December 31, 2024, the Personnel Department update recruitment and hiring procedures. For example, requiring the updating of job postings on a regular basis in order to improve search engine visibility. (F3, F6, F7)
- R3.** The Grand Jury recommends that by December 31, 2024, the Personnel Department begin publishing per-position candidate pool policies and hiring results on a semi-annual basis. (F3, F6, F7)

## Promote from Within

- F8.** Continuous improvement for promoting existing employees in departments with difficult to fill positions can help to maintain effective staffing levels.
- F9.** Promoting employees within departments with many difficult to fill positions can limit the damage caused by attrition, especially at more senior levels.
- R4.** The Grand Jury recommends that by December 31, 2024, the Personnel Department, in collaboration with HSA, HSD and Public Works, embrace continuous improvement and publish a skills and advancement plan to accelerate promotion from within, including budget requirements and goals. (F8, F9)

## Group 2: Improve Hiring and Recruitment Results

### Adopt Integrated HR System

- F10.** The months-long hiring process is frustrating to candidates and jeopardizes the County's chances of hiring good candidates.
- F11.** The time required for complex paper processes steals time from creative recruitment and ongoing contact with candidates.
- R5.** The Grand Jury recommends that by December 31, 2024, the Personnel Department publish a cost/benefit analysis comparing their current approach with that offered by integrated HR solutions. (F10, F11)

### Embrace Continual Improvement within Personnel Department

**F6** applies to this area as well.

- F12.** Despite the finding in F9, having leadership in Personnel Department positions filled by long-time employees that have spent most of their career in the department has led to limited acceptance of ideas that have worked elsewhere in hiring for difficult to fill positions.
- R6.** The Grand Jury recommends that by December 31, 2024, the Personnel Department develop a plan detailing how they will solicit and evaluate employee recommendations that could help reduce the backlog of difficult to fill positions. (F6, F12)
- R7.** The Grand Jury recommends that by December 31, 2024, the Personnel Department publicly document how they have engaged external expertise which would likely improve hiring and promoting processes. (F6, F12)

## Evaluate Peer Counties for Best Practices

**F6** applies to this area as well.

- F13.** The 8-county salary comparison in place since 2002 is no longer a useful benchmark for wages and salaries given the high cost of living in Santa Cruz County resulting in many vacancies.
- F14.** To attract a wider pool of candidates for difficult to fill positions, pay needs to be at least 90% of what Santa Clara County offers.
- R8.** The Grand Jury recommends that by December 31, 2024, and annually thereafter, the Personnel Department conduct a salary comparison study based on nearby counties. It is recommended that this study include counties which have routinely recruited Santa Cruz County employees and residents. (F6, F13, F14)

## Create a Public Dashboard of Key Hiring and Recruitment Metrics

- F15.** The County Personnel Department was consistently unable to provide comprehensive hiring statistics. Without accurate data, Personnel and other departments cannot make sound judgements on how to measure improvements in the hiring process for difficult to fill positions.
- F16.** The Personnel Department expects the department units themselves to track hiring and recruitment metrics and keep important data such as turnover statistics and vacancy rates. This leaves the Personnel Department and oversight bodies without a clear picture of the situation and depth of the problem.
- F17.** By not filling essential positions for months at a time, services for residents suffer harm when vacancies persist.
- R9.** The Grand Jury recommends that by December 31, 2024, the Personnel Department post a public dashboard, based on real time data, to include time-to-hire and vacancy rates for difficult to fill positions in County departments. (F15, F16, F17)

## Commendations

- C1.** The Grand Jury commends the Personnel Department for testing ways to improve recruiting for difficult to fill positions. These include preparing a video selling the lifestyle of Santa Cruz County, attending job fairs, having a booth at the County fair, attending conferences where professionals meet, advertising in magazines that target professionals with needed skills, reaching out to universities and meeting students about to graduate.
- C2.** On the recommendation of the Personnel Department, the Board of Supervisors eliminated the civil service requirement for a top ten list for a set of hard to fill positions. Department hiring for those positions accelerated since managers were able to interview candidates more quickly.

## Required Responses

<i>Respondent</i>	<i>Findings</i>	<i>Recommendations</i>	<i>Respond Within/ Respond By</i>
Santa Cruz County Board Of Supervisors	F1–F17	R1–R9	90 Days September 25, 2024

## Invited Responses

<i>Respondent</i>	<i>Findings</i>	<i>Recommendations</i>	<i>Respond Within/ Respond By</i>
Director, Santa Cruz County Personnel Department	F1–F17	R1–R9	90 Days September 25, 2024

## Definitions

Terms requiring an explanation that would not fit in the report flow.

- **SEO:** Search Engine Optimization. The practice of orienting your website to rank higher on a search engine results page (SERP) so that you receive more traffic. The aim is typically to rank on the first page of Google results for search terms that mean the most to your target audience.<sup>[28]</sup>
- **HR:** Human Resources. A term often attached to Personnel Department services.
- **Provisional hiring:** Committing to a candidate prior to fully completing the hiring process. Allows for mutual commitment of the agency and candidate while providing sufficient time for all required steps to complete.
- **Rule of 10:** A civil service rule that says until ten candidates have been vetted by the Santa Cruz County Personnel Department they cannot be forwarded to the hiring department.<sup>[31]</sup>
- **CRM:** Stands for Candidate Relationship Management in human resources, talent acquisition, and recruiting software.

## Sources

### References

1. Josh Copitch. June 27, 2023. "Santa Cruz County most expensive place to rent, Monterey not far behind." *KSBW News*. Accessed April 16, 2024. <https://www.ksbw.com/article/california-rent-expensive-places-to-live/44350132#:~:text=Santa%20Cruz%20County%20is%20now,to%20make%20%2463.33%20an%20hour.>

2. Andrew Aurand, Mackenzie Pish, Ikra Rafi, Diane Yentel. February 15, 2024. "OUT of REACH: THE HIGH COST OF HOUSING." *National Low Income Housing Coalition (NLIHC)*. Accessed April 17, 2024.  
[https://nlihc.org/sites/default/files/2023\\_OOR.pdf](https://nlihc.org/sites/default/files/2023_OOR.pdf)
3. Confidential Grand Jury interview.
4. Confidential Grand Jury interview.
5. Confidential Grand Jury interview.
6. Confidential Grand Jury interview.
7. Confidential Grand Jury interview.
8. Confidential Grand Jury interview.
9. Confidential Grand Jury interview.
10. Confidential Grand Jury interview.
11. Confidential Grand Jury interview.
12. NeoGov staff. July 1, 2020. "NEOGOV Time to Hire Report 2020." *Neogov.com*. Accessed March 22, 2024.  
<https://www.neogov.com/hubfs/NEOGOV-Time-to-Hire-Report.pdf>
13. County of Santa Cruz County Personnel Department. June 7, 2024. "Job Salary Schedule." *County of Santa Cruz County Personnel Department*. Accessed June 7, 2024.  
<https://www2.santacruzcountyca.gov/personnel/salsched/salsched.asp>
14. Confidential Grand Jury interview.
15. Vasco. July 2, 2023. "Recruitment Metrics." *OnHires*. Accessed March 22, 2024.  
<https://www.onhires.com/blog-post/recruitment-metrics>
16. County of Santa Clara Personnel Department. June 3, 2024. "County of Santa Clara Pay Schedule 6/3/2024." *County Santa Clara County government website*. Accessed April 15, 2024.  
[https://files.sccgov.org/bc-entesa/basic\\_salary\\_plan.pdf](https://files.sccgov.org/bc-entesa/basic_salary_plan.pdf)
17. Confidential Grand Jury document.
18. Confidential Grand Jury interview.
19. Confidential Grand Jury interview.
20. Confidential Grand Jury document.
21. Confidential Grand Jury interview.
22. Santa Cruz County Personnel Department. December 12, 2023. "Title VII – Department Procedures Section 1500 Remote Work Policy."
23. Confidential Grand Jury interview.



24. Confidential Grand Jury document.
25. Confidential Grand Jury interview.
26. Confidential Grand Jury interview.
27. Confidential Grand Jury interview.
28. Search Engine Land staff. April 23, 2023. “What Is SEO – Search Engine Optimization?” *Search Engine Land*. Accessed April 23, 2023.  
<https://searchengineland.com/guide/what-is-seo#:~:text=SEO%20stands%20for%20%E2%80%9Csearch%20engine.Services%20you%20provide.>
29. Confidential Grand Jury interview.
30. Confidential Grand Jury interview.
31. Confidential Grand Jury interview.
32. Confidential Grand Jury interview.
33. Confidential Grand Jury interview.
34. Confidential Grand Jury interview.
35. Confidential Grand Jury interview.
36. Confidential Grand Jury interview.
37. Confidential Grand Jury interview.
38. Confidential Grand Jury interview.
39. Confidential Grand Jury interview.
40. Confidential Grand Jury interview.
41. Confidential Grand Jury interview.
42. Confidential Grand Jury interview.
43. Confidential Grand Jury interview.
44. Confidential Grand Jury interview.
45. Confidential Grand Jury interview.
46. Confidential Grand Jury interview.
47. Confidential Grand Jury interview.
48. Confidential Grand Jury interview.
49. Confidential Grand Jury interview.
50. Confidential Grand Jury interview.
51. Confidential Grand Jury interview.
52. Confidential Grand Jury interview.

53. Confidential Grand Jury interview.
54. Josh Koehn and Mike Ege. January 8, 2024. "Takes 150 Days to Hire SF Worker; Mayor Says That's Progress." *San Francisco Standard*. Accessed March 5, 2024. <https://sfstandard.com/2024/01/08/san-francisco-mayor-breed-cuts-red-tape-budget-crisis/>
55. Confidential Grand Jury interview.
56. Confidential Grand Jury interview.
57. Confidential Grand Jury interview.
58. Confidential Grand Jury interview.
59. Confidential Grand Jury interview.
60. Confidential Grand Jury interview.
61. Confidential Grand Jury interview.
62. Confidential Grand Jury interview.
63. Confidential Grand Jury interview.
64. Confidential Grand Jury interview.
65. Confidential Grand Jury interview.
66. Confidential Grand Jury document.

## Appendix A – Supporting Figures

### National Low Income Housing Coalition for Housing Report

MOST EXPENSIVE JURISDICTIONS			
Metropolitan Areas	Metropolitan Counties <sup>2</sup>	Housing Wage for Two-Bedroom FMR <sup>1</sup>	
Santa Cruz-Watsonville, CA MSA <sup>4</sup>	Santa Cruz County, CA	\$63.33	
San Francisco, CA HMFA <sup>3</sup>	Marin County, San Francisco County, San Mateo County, CA	\$61.31	
San Jose-Sunnyvale-Santa Clara, CA HMFA	Santa Clara County, CA	\$56.56	
Salinas, CA MSA	Monterey County, CA	\$51.44	
Santa Maria-Santa Barbara, CA MSA	Santa Barbara County, CA	\$51.29	
Boston-Cambridge-Quincy, MA-NH HMFA		\$50.67	
Stamford-Norwalk, CT HMFA		\$49.29	
Santa Ana-Anaheim-Irvine, CA HMFA	Orange County, CA	\$48.83	
Seattle-Bellevue, WA HMFA	King County, Snohomish County, WA	\$47.21	
New York, NY HMFA	Bronx County, Kings County, New York County, Putnam County, Queens County, Richmond County, Rockland County NY	\$47.13	
State Nonmetropolitan Areas (Combined)	Housing Wage for Two-Bedroom FMR	Nonmetropolitan Counties (or County-Equivalents)	Housing Wage for Two-Bedroom FMR
Massachusetts	\$46.91	Nantucket County, MA	\$50.35
Hawaii	\$37.86	Dukes County, MA	\$44.71
Alaska	\$26.88	Kauai County, HI	\$41.31
Connecticut	\$26.62	Eagle County, CO	\$39.04
New Hampshire	\$25.21	Monroe County, FL	\$38.90
Colorado	\$24.50	Pitkin County, CO	\$36.73
California	\$22.35	Hawaii County, HI	\$36.56
Nevada	\$22.28	Summit County, CO	\$35.77
Washington	\$21.80	Bethel Census Area, AK	\$34.98
Vermont	\$21.69	Aleutians West Census Area, AK	\$34.56

Figure 6: National Low Income Housing Coalition for Housing Report. <sup>[2]</sup>

### County Personnel Recruitment and Examination Flow Chart

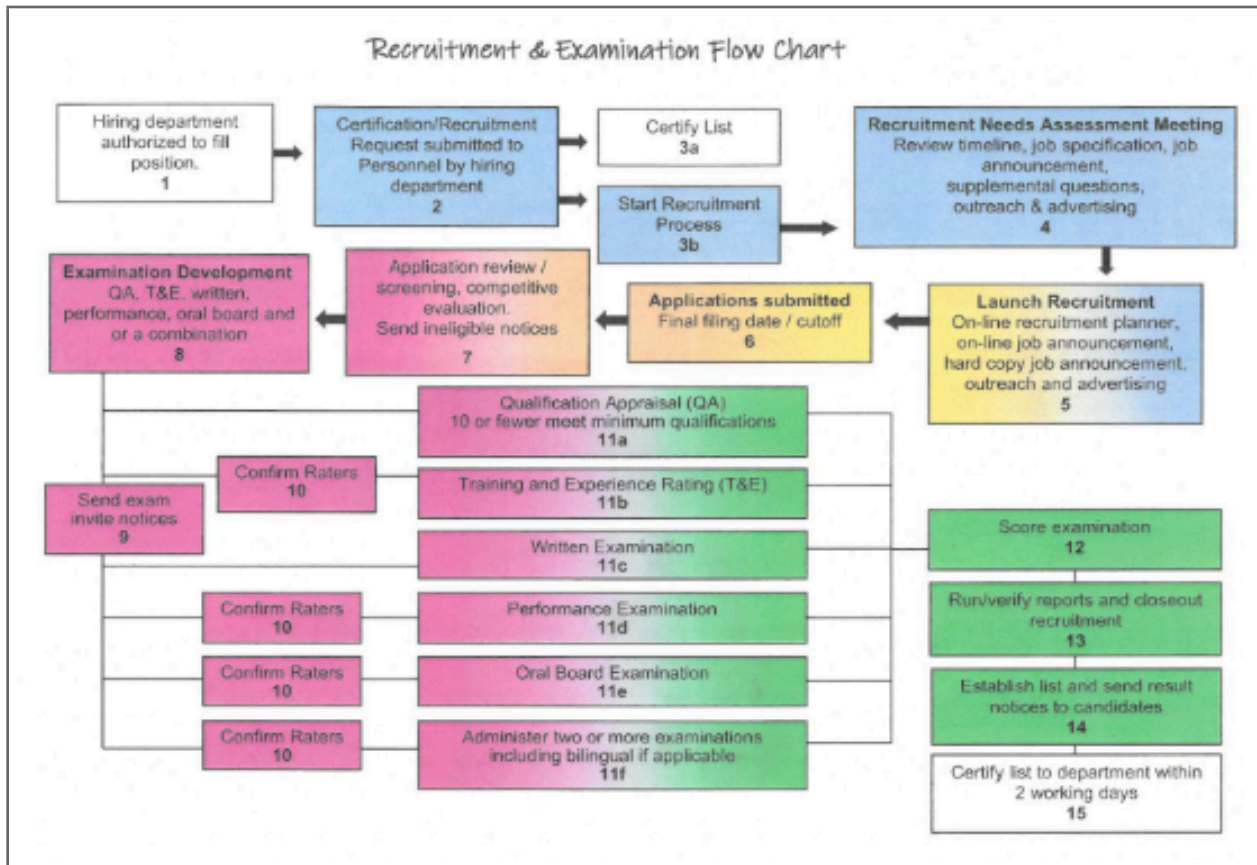


Figure 7: County Personnel Recruitment and Examination Flow Chart.<sup>[66]</sup>



**SANTA CRUZ COUNTY**  
Civil Grand Jury

701 Ocean Street, Room 318-I  
Santa Cruz, CA 95060  
(831) 454-2099  
grandjury@scgrandjury.org

## **City Of Santa Cruz: Preventing Rape and Domestic Violence**

### **Where's The Priority?**

---

#### **Summary**

By law, since 1981, the City of Santa Cruz is required under Santa Cruz City Ordinance 81-29 to make the prevention of rape and domestic violence one of its highest priorities. In 2023, the Santa Cruz City Council adopted a Five Year Strategic Plan. The Plan makes no mention of rape and domestic violence.

Over the past decade, the City's Commission for the Prevention of Violence Against Women has failed to provide the City Council with solid Annual Reports that document City, community, and police efforts to prevent rape and domestic violence. Recent reports have either included no data or limited data. The 2023 CPVAW Joint Report has no metrics on important trends such as whether the City of Santa Cruz still has a higher than average rate of rapes by strangers. What areas of the city were the crimes committed in? Have there been arrests?

Long-standing Commission programs such as the Safe Place Network of local businesses are currently idle. This year the Santa Cruz City Schools District canceled the Commission's popular self-defense classes for middle and high school students. The in-person classes are being replaced with an online self-esteem video.

The City has ended the Commission's thirty five-year access to redacted police reports of rape and domestic violence. These reports enabled the Commission to evaluate police response, respond to complaints and recommend training if needed.

The Grand Jury submits its findings and recommendations to bring the City of Santa Cruz into compliance with City Ordinance 81-29. The personal safety and well-being of the community is at stake.

## Table of Contents

<b>Summary</b>	<b>1</b>
<b>Table of Contents</b>	<b>2</b>
<b>Background</b>	<b>3</b>
<b>Scope and Methodology</b>	<b>3</b>
<b>Investigation</b>	<b>4</b>
History Of Commission Work	4
Decline in Report Quality and Frequency	5
Metrics On Reported Rape in the City	6
Commission Programs and Resources	8
Self-Defense	9
Cuts to Self-Defense	9
Safe Place Network	10
Bar Coasters	11
Banners	12
Measuring the City's Support	13
Not In the City Five Year Strategic Plan	13
Decline In Dedicated Staffing	13
Ongoing Budget Reductions	14
Loss Of Visible Location	14
Frequency Of Meetings	15
SCPD And The Commission	15
High Incidence of Stranger Rape	15
Defining Rape	16
FBI And Revised Rape Definition	17
SCPD, CPVAW and the Definition of Rape	17
Commission Access to Redacted Police Reports on Rape	20
<b>Conclusion</b>	<b>20</b>
<b>Findings</b>	<b>21</b>
<b>Recommendations</b>	<b>21</b>
<b>Required Responses</b>	<b>22</b>
<b>Invited Responses</b>	<b>23</b>
<b>Definitions</b>	<b>23</b>
<b>Sources</b>	<b>23</b>
References	23
<b>Appendix A – Figure 8 Full Table</b>	<b>29</b>
<b>Appendix B – Figure 9 Full Table</b>	<b>30</b>

## Background

Rape and domestic violence are among the most serious of crimes. Yet they are hidden crimes, ones we would rather not talk about except for high profile cases. When did you last read in the local press about a woman raped in Santa Cruz? Victims of these crimes feel shame, self-blame, fear, and isolation. Perpetrators are rarely arrested, prosecuted, convicted, and sentenced.<sup>[1]</sup>

Forty-three years ago, the Santa Cruz community took action to bring rape and domestic violence out of the shadows by making them issues of public concern and public policy. An Initiative was drafted, circulated, and gained sufficient signatures to qualify for the ballot. The Santa Cruz City Council at the time adopted the Initiative rather than put it to a vote of the people. As a result, Santa Cruz City Ordinance 81-29 was passed by the Santa Cruz City Council in 1981.<sup>[2]</sup>

The Ordinance required the creation of a City Commission for the Prevention of Violence Against Women (CPVAW or Commission) to carry out specific actions to help prevent rape and domestic violence in the City. The Ordinance mandates that the Santa Cruz Police Department (SCPD) offer full and open cooperation to the Commission. The Ordinance states that: “It shall be the policy of the City of Santa Cruz that the prevention of rape and domestic violence shall be one of its highest priorities.” Sexual harassment was added to the purview of the Commission in the early 2000’s, however it is not codified in the Ordinance.<sup>[3]</sup>

Since 2016 there has been a noticeable decline in the Commission’s visibility and programs. There is little collaboration with relevant community agencies. Detailed information and metrics on rape are no longer presented to the community as in past years. The City of Santa Cruz appears to have significantly reduced its support for the Commission’s mandates. There is no mention of the prevention of rape and domestic violence in the City’s published priorities for the next five years.

This investigation was undertaken to document and explore possible reasons for this decline and recommend solutions. This will hopefully bring the Commission and the City back into compliance with its mandate to help prevent rape and domestic violence in the City of Santa Cruz.

## Scope and Methodology

The scope of this investigation is:

- To investigate the effectiveness and function of the City of Santa Cruz Commission for the Prevention of Violence Against Women, the Santa Cruz Police Department, and the City of Santa Cruz with respect to the mandates of Ordinance 81-29.
- To investigate the decline in the comprehensiveness and usefulness of the Commission’s required Annual Reports.
- To investigate the decline and abandonment of established Commission programs for community awareness and safety.

- To investigate how data on rape is recorded by the Santa Cruz Police Department, in what form it is sent to the Uniform Crime Reporting Program (UCR) and how it is shared with the Commission.

For this investigation the Grand Jury undertook the following actions:

### **Interviews**

- Conducted interviews

### **Documents and Reports**

- Reviewed City Ordinance 81-29
- Reviewed all available past CPVAW Annual Reports

### **Program Comparison**

- Compared past Commission programs and activities with current programs and activities

### **Staffing and Budgets**

- Examined past and current Commission staffing levels
- Examined past and current Commission budgets

### **Law Enforcement Data**

- Reviewed Santa Cruz police statistics on reported rape and domestic violence and the format for submitting data to the UCR
- Reviewed Federal Bureau of Investigations (FBI) reports on National Incident-Based Reporting System (NIBRS) for Rape

### **Field Trips**

- Attended a Commission meeting
- Listened to all Commission meetings since and including November 2023
- Inquired about Commission resources at local bars
- Visited downtown stores listed as members of the Safe Place Network for current evidence of the program

## **Investigation**

### ***History Of Commission Work***

The record of work carried out by the Commission for the Prevention of Violence Against Women is partially captured on its website, which includes Annual Reports to City Council and the CPVAW Historical Timeline.<sup>[4]</sup>

**The Historical Timeline** begins with the Commission's formation in 1981. It stops at 2008. It gives a snapshot of the extensive programming, resources and community outreach that was typical between 1982 and 2008 and which has largely been discontinued.



Some highlights from the timeline are listed below.<sup>[5]</sup>

- 1982 Distributed a bilingual Women’s Resource Card
- 1983 Emphasis on developing a Self-Defense Program
- 1985 Review of 1983-84 Sexual Assault cases. Many areas of concern identified. An “Officers’ Check-list” developed for SCPD
- 1985 Sexual Assault Response Team (SART) initiated and developed
- 1987 Updated “Survivors Feedback Form” for those who reported to SCPD
- 1988 New procedures enabled survivors of domestic violence to obtain an Emergency Protective Order at the scene of the crime
- 1989 Improve services for Latina survivors of domestic violence
- 1990 Self-defense class in Spanish established
- 1992 Outreach to women in Blaine St. Jail
- 1992 Teen Women’s Day. Self-defense for women with mental health issues
- 1993-94 Commission coordinator trained SCPD in Domestic Violence awareness
- 1996 Responded to the rapes of three elderly women with media coverage for awareness, teach-ins, and free installation of safety equipment
- 1997 Latina Self-defense program established
- 1998 Self-defense for all female students at Branciforte Junior High
- 2000-01 First Teen Men’s Day. CPVAW 20th Anniversary
- 2003-04 Safe Place Network formed
- 2004-05 Bar Coaster Program developed. Banner Program established
- 2005-06 Joint City Committee on Sexual Assault created
- 2006-07 Stakeholders’ meeting, 45 representatives from community agencies
- 2007-08 Self-defense in City schools for girls and boys in PE classes established

The Ordinance specifies duties for the Commission and for the SCPD.<sup>[2] [4]</sup> Performance relative to fulfilling the Ordinance is covered in the following sections.

### ***Decline in Report Quality and Frequency***

Ordinance 81-29 requires that the Commission submit an annual report to the City Council documenting in detail City, community, and police efforts to carry out the purposes of the Ordinance. The Ordinance requires the Chief of Police to submit an annual report to the City Council documenting, in detail, police efforts to carry out the purpose of the Ordinance.<sup>[2]</sup>

There are no Annual Reports on its website of the Commission’s first twenty years of work. The Historical Timeline is the only record from 1981-2005.

The Joint report of 2005-2007 is the earliest listed report. For those years, the CPVAW and SCPD submitted a combined report.<sup>[6] [7] [8]</sup> Both the 2005-07 Joint Report and the 2005-07 CPVAW Annual Report are comprehensive reports which highlight significant programs and include detailed metrics on reported rape and domestic violence. The

24-page 2005-07 CPVAW Report includes the results of a stakeholders' meeting where forty-five representatives from community agencies, community members, and law enforcement participated in discussions that led to detailed goals and objectives.<sup>[9]</sup>

The Joint Reports and Annual Reports of 2008-10 and 2012 are also comprehensive, including detailed data on domestic violence and rape. The 2014-16 Annual Report is briefer than earlier reports. It does include data on rape and domestic violence but not as detailed as in the earlier reports.

Between 2017 and 2020 there are no Commission Annual Reports. In 2018 the Commission hired consultants to do a Needs Assessment. The resulting document references the entire county, does not focus on the city, and has little to add that is new or relevant to the Commission's mandate.<sup>[10]</sup>

The 2020-21 and 2022 Reports are brief three-page narratives with no data on domestic violence or rape.<sup>[6] [7]</sup>

In May, 2024 the Commission and the SCPD completed a brief 2023 Joint Report. More details about this Report are under the section, SCPD and The Commission.<sup>[11]</sup>

For the first two CPVAW meetings of 2024, SCPD made available annual statistics on rape, domestic violence, homicide, and stalking. However there have been no comprehensive Annual Reports from the SCPD to City Council from 2012 to 2022.<sup>[12]</sup>

### ***Metrics On Reported Rape in the City***

Publicly accessible data on the profile of those who commit rape, where, what percentage are arrested and the outcome of arrests is important for community awareness and safety. Such data were provided in detail in earlier Commission reports but are not included in the three recent reports. The Commission has in the past made repeated requests for a tracking system to determine the outcome of an arrest. No such system or data have been provided.<sup>[13]</sup>

The actual incidence of rape in the City of Santa Cruz is unknown and can only be estimated. Reference to numbers in the Commission Annual Reports is based on rapes reported to the Santa Cruz Police Department. Reported rape is a smaller percentage of all rapes committed and estimates vary. Data from the Rape and Incest National Network (RAINN) estimate between a quarter to a third of all rapes are reported to law enforcement with differences based on ethnicity, age, class, and degree of physical injury.<sup>[1]</sup>

Note: The number of crimes listed may not equal the number of victims. A person may commit more than one crime on one victim.

### **Detailed information up to 2016**

Based on redacted police reports (all personal information removed) the Commission until 2016 gathered detailed metrics on rape and domestic violence. These metrics gave important information to the community about these crimes. Information on rape included:

- Location of the crime by police beat (West, East, Beach, Central, Downtown)
- Time of year

- Whether perpetrator and victim were local or visitor
- Age and ethnicity of perpetrator and victim
- Whether weapons or alcohol were involved
- Whether the perpetrator was a stranger, a brief encounter (less than 24 hours) or an acquaintance
- Percentage of arrests

The Figures which follow illustrate the detail and approach taken in earlier reports.

**Detailed Information on Rape in Past Reports: From Joint Report 2008-2010**

Figure 1 provides three data points on whether the person committing rape was an acquaintance, briefly encountered within 24 hours or a complete stranger. Such information is important for community awareness, preparedness, and crime prevention.

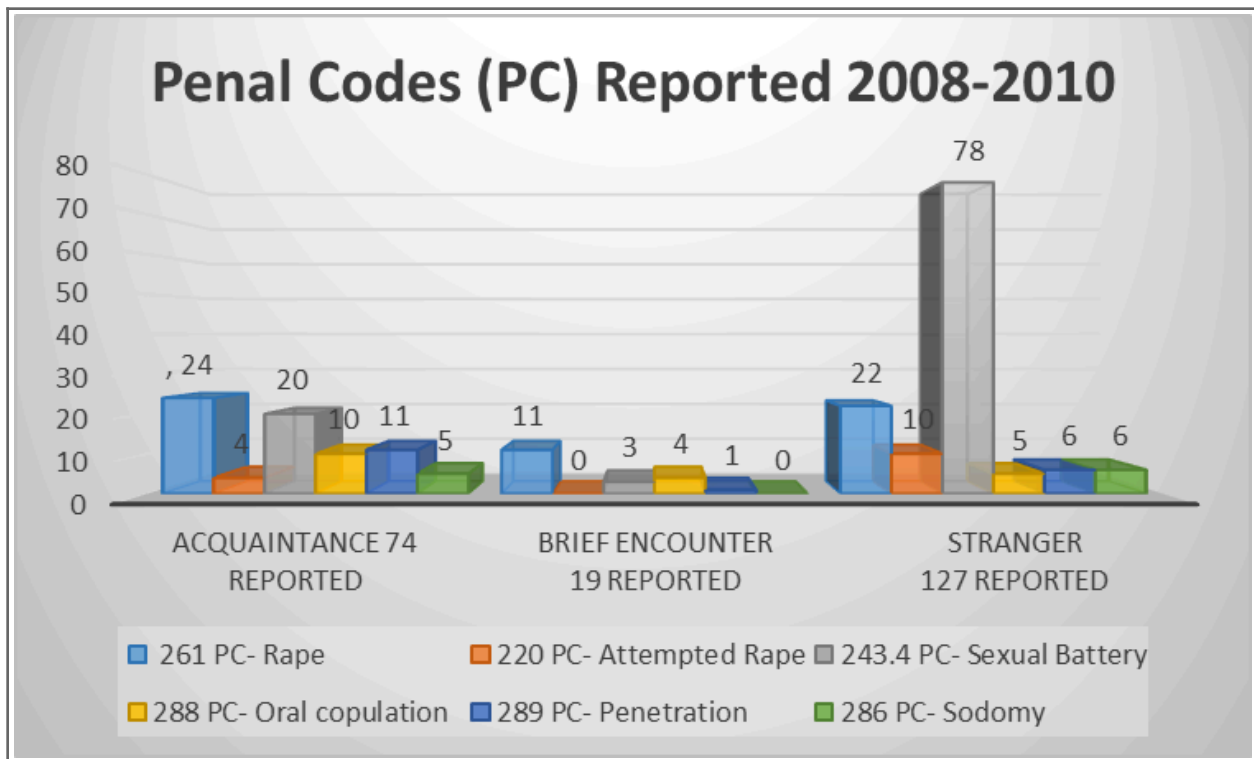
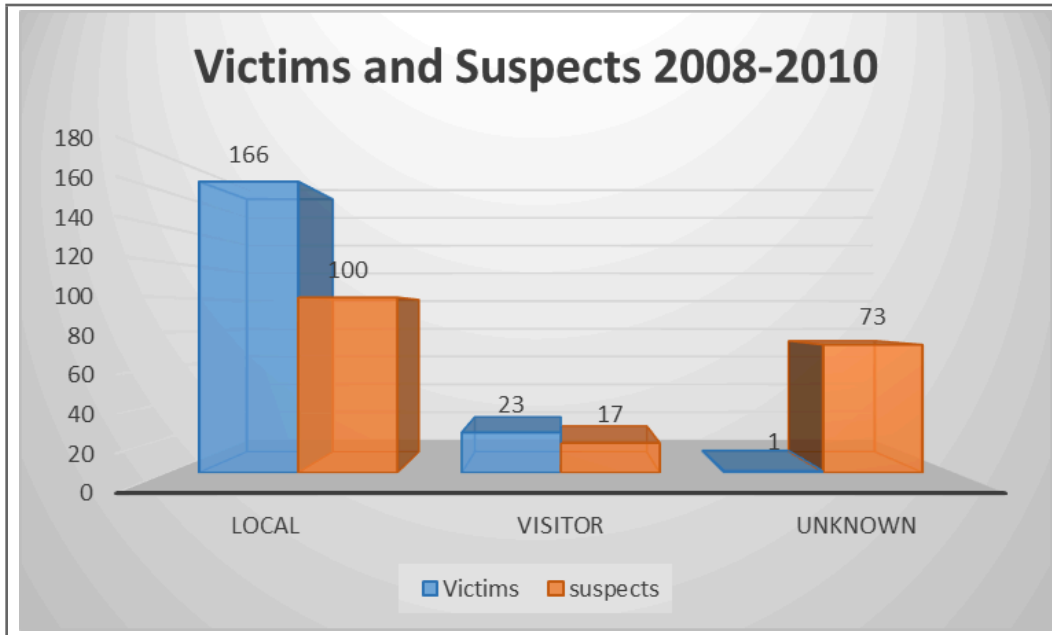


Figure 1. Reported Penal Codes on Sexual Assault 2008-2010.<sup>[14]</sup>

Figure 2 indicates whether the perpetrator and the victim were local residents or visitors. Such information helps replace assumptions with facts.



**Figure 2.** Data from 2008-2010 Joint SCPD CPVAW Report-Victims & Suspects<sup>[14]</sup>

**Commission Programs and Resources**

The Commission has a history of providing the community with a wide variety of programs and resources for raising awareness of and helping to prevent domestic violence and sexual assault.

Covid had an understandable impact on the ability of the Commission to provide programs during 2020-22 and half of 2023. Since then there have been a few one-time well-attended events, a number of Public Service Announcements (PSA’s) and events for Domestic Violence Month. However, the established, popular CPVAW programs have largely disappeared, with no explanation on why they were ended. Other programs have been neglected. Visibility of CPVAW and, by association, the City’s commitment to public safety has declined. To document this decline the Grand Jury investigated the following major programs.

## Self-Defense

Free or low cost self-defense classes offered to the community at London Nelson Center and to Santa Cruz City District Schools have been a long-time key component of CPVAW's visibility and resources for personal safety. Their progression is documented in the History of the Commission Work section of this report.

Establishing self-defense classes in District Schools was described in the 2007-8 Annual Report as an "incredible milestone" and a "goal that CPVAW has had for years." The following entry from the 2010 Annual Report captures their significance:

*Since 2007, the CPVAW has partnered with Santa Cruz City Schools to offer safety skills/self-defense classes to girls and boys at local middle and high schools. Almost 5,000 students have taken these classes in the past four academic years. This program, scheduled during physical education classes, provides information on awareness, avoidance, verbal techniques, and physical skills for students. Evaluations from students and teachers continue to indicate that these classes are valued and successful in teaching girls and boys important skills that assist in avoiding or facing difficult, uncomfortable situations.*<sup>[15]</sup>

## Cuts to Self-Defense

Cuts to the Commission's self-defense programs have been made over the past seven years.

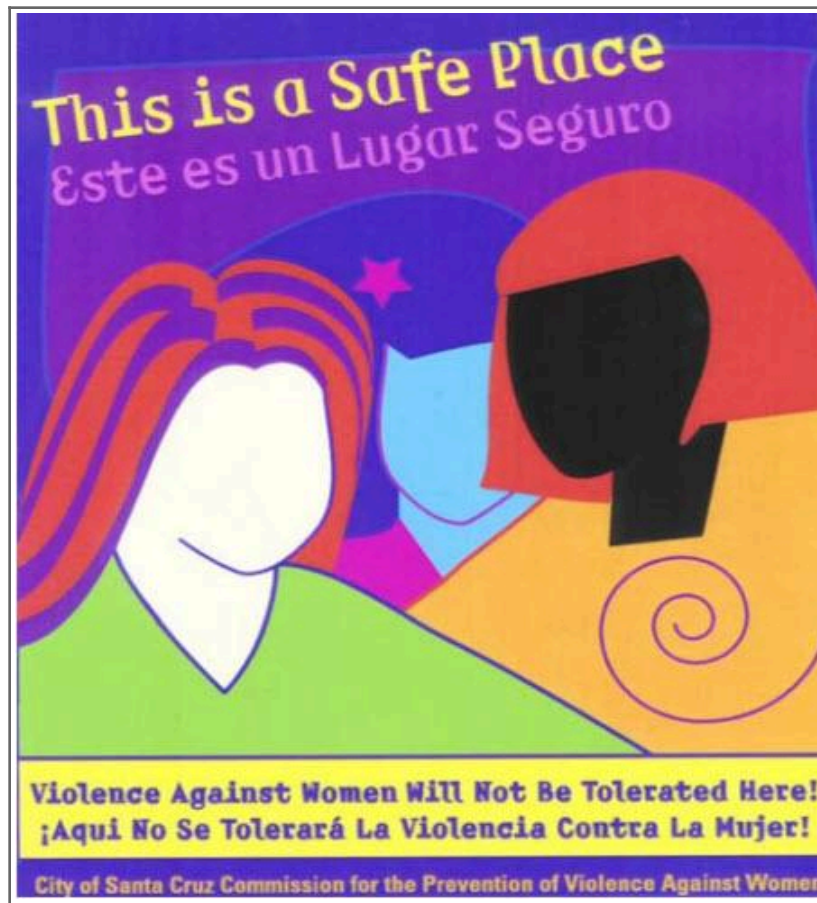
In 2017 the Commission significantly cut the community self-defense program. This issue of public concern was covered by the weekly newspaper, The Good Times.<sup>[16]</sup> In November 2023, at the regular CPVAW meeting, the sixteen-year history of self-defense classes in middle and high schools came to an end. An online video, *Vector Solutions*, will replace in-person self-defense classes in District Schools. The video covers issues such as stress management, self-harm awareness, conflict resolution, students' safety, wellness, and healthy relationships. While useful topics, they are different skills than those taught and practiced in a self-defense class.<sup>[17]</sup>

This decision was opposed by members of the public who spoke to the Commission at the meeting. Drawing on personal experience, they stressed the need for in-person, hands-on self-defense classes. Long-time City self-defense instructor, Leonie Sherman, cautioned against substituting in-person self-defense classes with an online course. She spoke of the need for a local instructor's physical presence to ensure correct techniques, to connect with students and to respond to local situations.<sup>[18]</sup>

]

### Safe Place Network

The network of “Safe Places” was initiated by the Commission in 1999. It is described as “A collaborative effort by the Commission for the Prevention of Violence Against Women, the Downtown Association, the Downtown Commission and Monarch Services (formerly Women’s Crisis Support-Defensa de Mujeres)”.<sup>[19]</sup> The network of forty- one businesses, mostly in the downtown, identified by a decal in their window (Figure 3 below), offered a safe place for anyone who felt threatened on the street. Upon request, a staff member in the business could offer resources and a place to wait until a resource responded.



**Figure 3.** Safe Place Window Sticker from CPVAW  
Annual Report 2005-07<sup>[20]</sup>

The Safe Place Network is still listed on the Commission’s website. Out of the forty-one businesses listed, fourteen have closed. Of the remaining businesses, only two still have stickers in their storefront windows.<sup>[21]</sup>

The Grand Jury could find no record of why this important program and safety resource has not been updated and continued. The Safe Place Network costs little to run and offers a valuable resource for our community and visitors if ever in need of an immediate safe haven in the downtown area. Without CPVAW active support, residents and visitors lose this valuable resource.

## Bar Coasters

The Coaster Program was introduced during April of 2005 to raise awareness regarding the issues of alcohol, sexual assault, and consent. Since the first distribution in 2005, more than thirty bars in the City of Santa Cruz, from Seabright on the Eastside to Mission St. and the downtown area have participated.<sup>[22]</sup> The coaster program started with a consent and alcohol message and then was updated with the GHB (date rape drug) testing feature. This was an effective way to keep the awareness message front and center with the public.



**Figure 4.** Drug Testing Drink Coaster - Juror supplied picture<sup>[8]</sup>

The 2020-21 and 2022 Annual Reports refer to a continuation of the coaster program with similar-themed posters and brochures. The Grand Jury could find no evidence of such support materials in a random selection of local bars. Coasters were found in only one bar after the barkeep spent five minutes searching along the back wall of the bar. Staff in other establishments who were asked said they had heard of the program and were interested but had no materials.<sup>[23]</sup>

## Banners

These public awareness banners, a program initiated in 2005 (shown in Figure 5 below), were displayed twice a year on top of street poles along Pacific Avenue and major city corridors.



**Figure 5.** CPVAW Banner Project From CPVAW Annual Report 2005-07<sup>[22]</sup>

From the description in the 2010 Report: “Banners are displayed in April for Sexual Assault Awareness Month. Banners are again displayed in October for Domestic Violence Prevention Month. The goal of the CPVAW Banner Project is to raise awareness and to continue to keep the issues of sexual assault and domestic violence as a priority in the City of Santa Cruz.”<sup>[22]</sup>

From a review of the Annual Reports, it seems the banner program has been dormant for more than a decade. The Grand Jury could find no record of this program being officially discontinued.



## Measuring the City's Support

The Grand Jury evaluated the following indicators of support for and commitment to the Commission's mandate: the City's Five Year Strategic Plan, Commission staffing, budget, community visibility and frequency of meetings.

### Not In the City Five Year Strategic Plan

In 2023 the City Council adopted a Strategic Plan which establishes priority areas of focus for the City over the next five years. There are six Focus Areas in the Plan. Focus Area 5 (shown in Figure 6 below) is Public Safety. There is no inclusion of preventing rape and domestic violence under Public Safety, nor under any of the other five Focus areas.<sup>[24]</sup> The City confirmed that the Strategic Plan is a statement of the City's priorities.<sup>[25]</sup>

**Focus Area 5: Public Safety**

*Goal statement: Provide public safety services that support well-being and healthy communities.*

*Proposed Strategies*

- **Collaborate with stakeholders and allied agencies** to find areas for increased alignment and accountability
- Evaluate and potentially establish a **Mobile Crisis Response Unit** for the city
- Conduct a **standards of coverage** study for Fire to identify issues and needs
- Determine feasibility and funding of a regional **public safety training center**
- Identify opportunities for **shared services and facilities** with neighboring agencies
- Evaluate opportunities to **utilize new technology**, including replacement of aging radio/communication infrastructure, to enhance public safety effectiveness and efficiency

**Figure 6.** From the 2023-28 Five Year Strategic Plan for the City of Santa Cruz<sup>[24]</sup>

### Decline In Dedicated Staffing

Since the Commission's inception, and until 2016, the City had funded a dedicated twenty-hour per week Commission Coordinator. The position required a knowledge of the issues as well as skills in event planning, outreach, and publicity. A dedicated staff position was considered necessary because CPVAW is not tied to a City Department. Other commissions such as Planning and Parks and Recreation are tied to City Departments with multiple employees to assist with their commissions' work.

In 2016, the Commission lost its dedicated staff. The Coordinator and her predecessor had worked as Commission Coordinators for over twenty years. From the Historical Timeline and Annual Reports, it appears that their work ensured ongoing successful programs, visibility for the issues and effective partnership with relevant agencies and community groups. According to a city staff report, the position was eliminated.<sup>[26]</sup>

Since the loss of the dedicated Coordinator position, the City Manager's office has allocated employees from that Department to work a few hours per week for the Commission: to run Commission meetings, keep minutes and follow the Brown Act regarding posting of meetings. The turnover is high. The staff time available is low.

This problem is captured in the words of the then Commission chair Newman from November, 2017:

*Newman says the CPVAW's mission hasn't changed, but admits that recent staff turnover and reduced allocated staff time for the commission has made its goals more of a challenge. The commission has had three coordinators in the last two years, and Newman says the process of commissioner appointments—which come from the City Council—as well as the amount of time needed to catch up new appointees, makes transitions difficult.*<sup>[27]</sup>

From 2017 to 2024, the staffing situation is basically unchanged. It appears that without a dedicated staff person with sufficient time and knowledge of the issues, since 2016, the Commission's programs, visibility, reports, and connections with the community has declined.<sup>[28]</sup>

## Ongoing Budget Reductions

*Don't tell me what you value. Show me your budget, and I'll tell you what you value.* President Biden quoting his father, March 2023.<sup>[29]</sup>

The Commission's annual budget has always been modest, covering the Coordinator's half-time salary plus supplies, administrative costs, and self-defense classes. In 2007-08 the City Council cut the Commission's \$69,992 budget to \$50,759. In 2010-11 it cut the budget to \$46,328. In 2023-24 council further cut the budget to \$38,869.<sup>[30]</sup>

At its November 1, 2023 meeting, the Commission voted to forward a budget request for 2025 for a status quo budget of \$25,202 plus \$15,000 for self-defense: a total of \$40,202. The Commission voted for an additional request for a part-time staff with benefits. The City Council will vote on all department requests at its budget hearings in late May or early June 2024.<sup>[31]</sup>

## Loss Of Visible Location

For over a decade the Commission had a storefront office on Cedar Street. This site gave public visibility for the issues and access to the Commission Coordinator for information and resources.

After the City sold the building in 2010, the Commission had to move. It had space for a number of years in a room upstairs in the Parks and Recreation department. The Commission was then moved to the City Manager's office. This site is largely invisible to the public. According to discussion at Commission meetings, many resources, such as the banners and past documents, have been misplaced or lost. Since April 15, 2022,

there has been no mention of any CPVAW program or support of the Commission in the City of Santa Cruz City Manager's weekly update.<sup>[32]</sup>

## Frequency Of Meetings

For the first twenty-five to thirty years the Commission held monthly meetings. That frequency, combined with a half-time dedicated staff person for CPVAW's work, produced robust programs, community visibility and effective partnerships.

During the past decade, the City halved the number of CPVAW's regular meetings to once every two months or six times a year. With such infrequent meetings, the Commission's programs and their visibility to the media and the public have suffered.

## SCPD And The Commission

### High Incidence of Stranger Rape

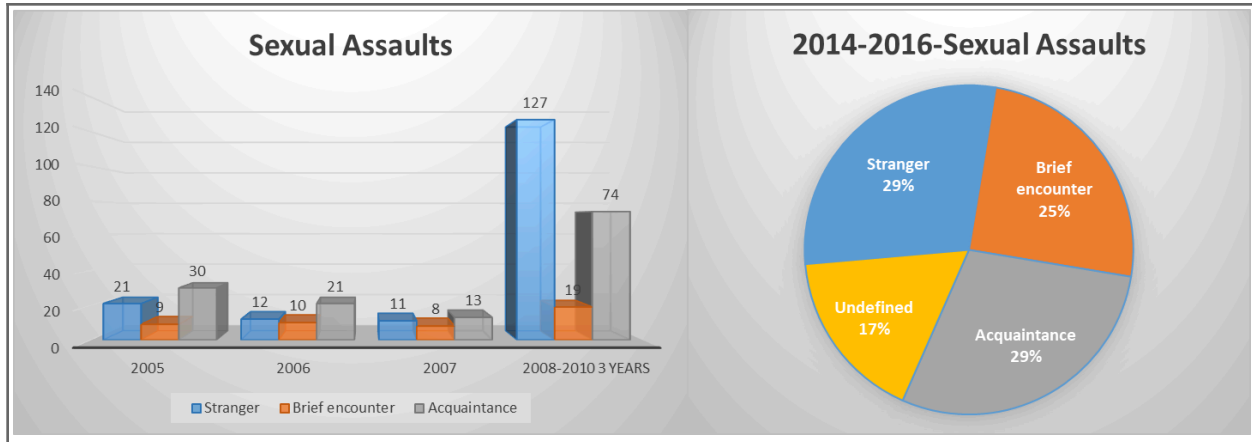
When a rape is reported to the SCPD, if the perpetrator is a stranger, community alerts posted with suspect description and area of crime committed are important tools for community safety. The Joint Report of 2008 noted that "alert" flyers were posted in the community when a sexual assault occurred. The Report stated, "Commission staff and the Parks and Recreation Department work closely with SCPD to get the flyers out into the community as quickly as possible." There is no evidence that this protocol is currently being carried out.<sup>[33]</sup>

Data gathered from police reports up to 2016 showed that the City of Santa Cruz is above the norm for rapes committed by strangers. The national average of rapes committed by strangers is just under twenty percent. The data up to 2016 show that the percentage of reported rapes committed by strangers is higher in the City of Santa Cruz than the national average. Even allowing for the fact that stranger rape is more likely to be reported than non-stranger rape, the city's percentage is very high.<sup>[1]</sup>

Stranger rape is not singled out as being more serious than acquaintance or brief encounter rapes. It is highlighted because the public needs to know if an unknown rapist is still at large in the community. When the suspect is a stranger and has not been arrested, SCPD needs to alert the community.

*Note:* National averages do not track the brief encounter category. For the purpose of this report, the word "stranger" is used as it is defined in the reports and does not include a brief encounter. The rationale for creating the brief encounter category is on page 6 of the 2008 Joint Report.<sup>[14]</sup>

Figure 7 below shows the relationship between victim and perpetrator as compiled from Commission Reports 2005-2010. These reports use the term sexual assault, which covers all felony sexual crimes including rape. They include the crime of sexual battery which can be a misdemeanor or a felony depending on the details of the crime. The 2014-16 report lists percentages only.



**Figure 7.** Relationship between victim and suspect. 2005-2016<sup>[34] [35] [36]</sup>

There are no CPVAW Reports after 2016 that gather such data. Without available data and public reports, the community has no way of knowing whether Santa Cruz continues to have a high incidence of rapes committed by strangers. Such knowledge is crucial for community safety and crime prevention.

At its May 1, 2024 meeting, the Commission approved a 2023 Annual Report and Joint Report. While this Report includes data regarding the numbers of rapes and domestic violence incidents reported to SCPD, it does not include the detailed metrics that were featured in earlier Reports up until 2016. There is no information about which police beats, or areas of town the rapes were committed in, no data on age, ethnicity, use of alcohol or weapons and no information on the percentage of rapes committed by strangers. These long standing metrics are crucial for community awareness. It is important for the public to know if the high percentage of stranger rapes in Santa Cruz is a continuing trend.

In the absence of any such data, the 2023 Report, under the heading “Who are the Perpetrators?” highlights the following national statistic: “The majority of perpetrators are someone known to the victim. Approximately 8 out of 10 sexual assaults are committed by someone known to the victim.”<sup>[1]</sup>

This general statement and metric is accurate as an average for the nation, but it is not necessarily accurate for the City of Santa Cruz. When data on victim/perpetrator relationships were tracked by the Commission, over fifty percent of sexual assaults reported in the city of Santa Cruz involved an assailant who was a complete stranger to the victim. The Grand Jury believes that by referencing this generic **national** statistic the City is minimizing stranger rape and misleading the public into a possible false sense of security.

## Defining Rape

A complaint filed with this year’s Grand Jury claims that the SCPD is not using the current Uniform Crime Report (UCR) definition of rape. The complaint asserted that by not using the current definition, neither the Commission nor the community are receiving

accurate data on rape. The answer as to whether the SCPD is using the current definition is complex.

To assess the validity of this claim the Grand Jury investigated the definitions of rape and how they are applied.

### **FBI And Revised Rape Definition**

Since 1929, in an effort to track crime on a national level, the FBI has gathered crime data from local police departments under the UCR Program. Data, including that of rape, are submitted monthly by police departments to the UCR.

The current UCR definition of rape was adopted in 2014. Rape is now the umbrella term to cover all forms of felony sexual assault, previously submitted under their separate Penal Code entries. This is how the FBI described the new definition:

*Beginning in 2013, the FBI UCR Program defines Rape for SRS UCR purposes as, 'Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.' The new definition updated the 80-year-old historical definition of rape which was 'carnal knowledge of a female forcibly and against her will.' Effectively, the revised definition expands rape to include both male and female victims and offenders, and reflects the various forms of sexual penetration understood to be rape, especially nonconsenting acts of sodomy, and sexual assaults with objects.<sup>[37]</sup>*

The new definition includes the rape of males, attempted rape, and sex offenses beyond forced vaginal penetration. This change makes it a more comprehensive, inclusive definition.

### **SCPD, CPVAW and the Definition of Rape**

#### ***A Question of Definition***

The data on rape that SCPD presents to the CPVAW is different from what SCPD posts on its website. Entries for Rape on the SCPD website under Crime Data are listed as UCR numbers (revised rape definition). It should be noted that data prior to 2017 is more detailed than the single number listed after 2017.<sup>[38]</sup>

At the first two CPVAW meetings in 2024, SCPD shared Data Collection Monthly Reports for Sexual Assault. Each Data Collection table covered the years 2021-2023 with the first three months of 2024 added to the second Report. Both Data Collection tables for 2021-2023 should be identical since they cover the same period. See Figures 8 and 9 below.

Unlike on their website, SCPD Data Collection Tables are not using the revised UCR definition of rape. They list sexual assaults under their separate Penal Codes. Under the column Rape Cases the data includes only spousal rape and the old definition of rape. Using data for the year 2021 for example, a reader would conclude that there were 18 rapes. To know the UCR rape totals, you must add up all the separate Penal Codes.

If the other forms of sexual assault are included, consistent with the UCR definition of rape, there were 26 rapes. **By not using the revised UCR definition of rape, rapes are essentially being under-counted by more than 40%.**

	Domestic Violence/Battery Calls	Domestic Violence/Battery Cases 273.5 PC (Felony)& 243(e)(1) PC (Misdemeanor)	Homicide-Intimate Partner (Felony)	Sex Assault (Other) 243.4 PC (Misdemeanor or Felony)	Rape Cases 261 PC & 262 PC (Felony)	Sodomy 286 PC (Misdemeanor or Felony)	Forcible Sexual Penetration w/a Foreign Object 289 PC (Felony)	Assault to Commit Rape 220 PC (Felony)	Stalking 646.9 PC (Misdemeanor or Felony)
2021	339	218	1	41	18	0	6	2	20
2022	343	235	0	30	20	3	5	6	22
2023	295	201	0	21	8	3	4	5	17

**Figure 8. 2021-2023 Sexual Assaults Using Separate Penal Code Entries with old Rape Definition, from SCPD January 2024 Data Collection.** Annual totals for easier viewing.<sup>[39]</sup> Full table in [Appendix A](#).

	Domestic Violence/Battery calls	Domestic Violence/Battery Cases 273.5 PC(Felony)& 243(e) (1) PC (Misdemeanor)	Homicide-Intimate Partner (Felony)	Sex Assault (other) 243.4 PC (Misdemeanor or Felony)	All Rape Cases 261 PC & 262 <sup>1,6</sup> PC (Felony)	Sodomy 286 PC (Misdemeanor or Felony) <sup>5</sup>	Oral Copulation 287 <sup>2,4</sup> PC (Misdemeanor or Felony)	Forcible Sexual Penetration w/a foreign Object 289 PC (Felony)	Assault to Commit Rape 220 PC (Felony)	Stalking 646.9 PC (Misdemeanor or Felony)
2021	339	218	1	41	18	0	5	9 (6)	2	20
2022	343	235	0	30	23 (20)	4 (3)	4	9 (5)	6	22 (17)
2023	323 (295)	202 (201)	0	21	17 (8)	4 (3)	1	7 (4)	5	17

Data in (parenthesis) was previously published by the SCPD as the January 2024 data collection

Notes

1. PC 262 repealed on October 8, 2021, AB 1171)
2. PC 288a oral copulation, was changed to PC 287 on January 1, 2019
3. UCR Summary totals the number of victims, not the number of cases-as reported in the table above
4. PC 287 includes PC's 288a(b)(a), 288a(c)(2)(a), 288a (c)(3)
5. One case involving PC 288.7(A) and 286 counted as one for sodomy count
6. One case involving PC 264.1 and 261 counted as one for rape count

**Figure 9. 2021-2023 Sexual Assaults Using Separate Penal Code Entries with old Rape Definition, from SCPD May 2024 Data Collection.** Annual totals only.<sup>[40]</sup> Full table in [Appendix B](#).

**A Question of Accuracy**

Of serious concern is that the data in Figure 8 and Figure 9 do not match, despite being identical data sheets for the same years 2021-23. In Figure 9, the Grand Jury entered the number of rapes from Figure 8 in parentheses so readers can see the difference. Both numbers should be identical.

One example: In Figure 8, the number entered for 2023 is eight rapes. In Figure 9, using the same definition, the number entered for 2023 is seventeen rapes. This is a

difference of more than 100%. It is not possible to know which is the correct number. SCPD must provide the Commission and the public with accurate data on rape. This is not a question of definition but of accuracy.

As previously noted, SCPD on its website under Crime Data is using the UCR definition of rape. However, the annual totals on the SCPD website for rape do not consistently match the aggregate numbers in the above Crime Data sheets. For example, for 2023, the UCR number on the SCPD website is twenty-one rapes. On Figure 8 when you sum the separate Penal Codes the number is twenty but on Figure 9 the number for the same year is thirty-four.

This discrepancy cannot be explained by the footnotes under Figure 9. Footnote #3 states that UCR tracks the number of victims while SCPD tracks the number of cases, explaining why the numbers may be different. But that footnote applies only for the year 2021. For that year, the total UCR figure on SCPD's website is twenty-six which is the same number as on Figure 8. However, for that same year, Figure 9 has thirty-four rapes.<sup>[39]</sup>

These examples suggest there is a serious need for oversight and review for accuracy of the SCPD's data collection before being published.

### ***National Incident-Based Reporting System (NIBRS) and Rape***

An overview of this reporting system is helpful for a fuller understanding of how rape is now defined and what additional data is submitted to the FBI for public awareness.<sup>[40]</sup>

In 2016, the FBI started transitioning to a new reporting format, which they expected to be completed by 2021. This system, the National Incident-Based Reporting System (NIBRS), aims to “enhance the quantity, quality and timeliness of crime data collection...and to improve the methodology used in computing, analyzing, auditing and publishing the collected crime statistics.”<sup>[37]</sup> California has CIBRS, which is the same as NIBRS with additional specific data elements.<sup>[41]</sup>

NIBRS uses the new UCR definition of Rape. It also defines the various felony sex offenses that fall under the term Rape.

### ***NIBRS Gathers Important Rape Metrics***

The Grand Jury learned that in 2024, the SCPD started using this enhanced data system for their submission to the FBI for crime data gathering.<sup>[42]</sup>

Both CIBRS and NIBRS require the submission of more crime elements than aggregate numbers. Non-identifying details of both victim and offender submitted to NIBRS include: age, sex, race, ethnicity, use of alcohol or drugs by the offender, use of weapons and relationship of victim to offender. This data is gathered from police departments, such as SCPD, nationwide and published for public information.<sup>[43]</sup>

Since the SCPD gathers this data for submission to CIBRS and NIBRS, such data should be available on a regular basis for the Commission as well as on the SCPD website. The Commission is currently not receiving the data as described above.

This more detailed data could then easily be incorporated into the Commission's Annual Reports. The increased data will enable the public to have a clearer understanding and awareness of rape and rape trends in the city of Santa Cruz, including whether the City has a continued trend of a significant number of rapes committed by strangers.<sup>[42]</sup>

### **Commission Access to Redacted Police Reports on Rape**

There are two reasons the Commission requires access to redacted SCPD reports on rape and domestic violence. One is to gather information for the city and the community to have a more detailed and accurate understanding of rape trends. For instance, what communities or neighborhoods might be at risk or whether the high incidence of rapes by strangers is a continuing pattern. The other reason is to evaluate the quality of SCPD's response to rape and domestic violence.

Ordinance 81-29 Section 5d, 4 and 5 states that the Duties of the Commission are:

- To hear citizens' complaints and recommendations about the City Police Department's service to those who have been raped or battered, and to evaluate such input.
- To present recommendations to the City Council regarding activities of the Police Department related to this Ordinance.
- To make recommendations to the City Council regarding police training in the areas of rape and domestic violence.<sup>[2]</sup>

The Commission has a thirty-five year history of reviewing redacted police reports. The redacted cases have always been "closed" cases. No active cases or cases involving children were requested.<sup>[5]</sup> Over the past year, the City has denied the Commission access to redacted police reports. The Grand Jury asked to review the City's reasoning for this denial. The response from the City attorney referred to Government Code Section 7926.600 as the reason for disallowing access. The Grand Jury did not see the relevance of this Code to the issue of access to redacted reports of rape.

### **Conclusion**

City Ordinance 81-29 Section 3 (a) states, "It shall be the policy of the City of Santa Cruz that the prevention of rape and domestic violence shall be one of its highest priorities." It is clear from each priority criterion evaluated for this investigation that the City is ignoring its mandate. This inaction leaves the community vulnerable and ill-informed with respect to rape and domestic violence. By adopting the Grand Jury's recommendations, the City can bridge the gulf between their long-standing legal obligations and their current neglect of these critical services. The result will be a community better informed, better prepared, and less vulnerable to rape and domestic violence.



## Findings

- F1.** Since 2016, the lack of comprehensive Annual Reports with detailed metrics on rape, including the tracking of stranger rape, leaves the community less informed, more vulnerable, and less safe.
- F2.** By highlighting a generic national statistic on stranger rape, rather than assessing local metrics in the CPVAW 2023 Report, the City is minimizing stranger rape and misleading the public into a possible false sense of security.
- F3.** The lack of attention to long-time Commission programs such as the Safe Place Network and the Bar Coaster program leaves residents and visitors without important resources for their personal safety.
- F4.** The loss of the in-person self-defense program for boys and girls in Santa Cruz City Schools lessens students' ability to prevent sexual assault and interpersonal violence, inconsistent with the mandate of Ordinance 81-29.
- F5.** The City's replacement of a dedicated 20-hour per week Commission staff position with rotating staff with minimal hours has resulted in a loss of visibility for the prevention of rape and domestic violence, a loss of community connections, a lack of programs, inadequate resource distribution and less public awareness.
- F6.** The City's refusal to allow the Commission continued access to redacted police reports prevents the Commission from making recommendations for police training and evaluating community complaints as required by Ordinance.
- F7.** The SCPD's decision to drop stranger rape alerts and case-by-case updates leaves the community unaware about this serious crime and therefore less safe.
- F8.** The inconsistencies the Grand Jury found in SCPD's rape numbers means the public, the CPVAW and the City have no accurate metrics about reported rape, leaving the community ill-informed and Annual Commission Reports unreliable.
- F9.** The SCPD and the Commission's lack of a consistent definition of rape leads to public confusion and potential undercounting of rape crimes in the City.
- F10.** The Five Year Strategic Plan's failure to include the prevention of rape and domestic violence leaves the community less aware and less safe.
- F11.** The City Manager's Weekly Update to the community has not highlighted the work of the CPVAW for the past two years, effectively relegating the prevention of rape and domestic violence to a low priority, leaving the public uninformed.

## Recommendations

- R1.** The Grand Jury recommends that the City Council fund a dedicated staff person for the Commission with skills commensurate to the need for program and resource development, community outreach and visibility, data research and report writing and have such position advertised by December 31, 2024. (F5, F3)

- R2.** The Grand Jury recommends that the City Council reevaluate the legal ability of CPVAW commissioners to access redacted police reports of rape as described in this investigation, and present the results of that research by December 31, 2024. (F6)
- R3.** The Grand Jury recommends that the City Council begin evaluating options with the Santa Cruz City School District to reinstate the in-person self-defense program for middle and high school students of all genders by January 31, 2025. (F4)
- R4.** The Grand Jury recommends that the SCPD update its website to include the detailed metrics on Rape Incidents submitted to NIBRS and CIBRS, ensuring all data entries are accurate and available at each meeting of the CPVAW, and have this in place by January 31, 2025. (F8, F9)
- R5.** The Grand Jury recommends that the SCPD reinstate community alerts for incidents of stranger rape, with case-by-case updates, by December 31, 2024. (F7)
- R6.** The Grand Jury recommends that the Commission and the SCPD submit comprehensive annual reports as called for in Ordinance 81-29, using the 2005-07 reports as a model, with the 2024 Annual Report placed on the Commission's agenda by December 31, 2024 and future reports submitted on a consistent, annual basis. (F1)
- R7.** The Grand Jury recommends that the 2023 Report be amended to remove the national entry on stranger rape, replacing it with accurate data for the City of Santa Cruz by December 31, 2024. (F2)
- R8.** The Grand Jury recommends that the CPVAW update the status of the Safe Place Network and the Bar Coasters program. If the programs are to be discontinued, a public CPVAW meeting is advised for that decision. If the programs are to be continued, the date of January 31, 2025 is recommended for the full reinstatement of these programs. (F3)
- R9.** The Grand Jury recommends that Focus Area 5, Public Safety of the 2023-28 Five Year Strategic Plan include an entry prioritizing the prevention of rape and domestic violence, as mandated by Ordinance 81-29, and published by February 28, 2025. (F10)
- R10.** The Grand Jury recommends that the City Manager increase the visibility of the CPVAW programs and events by publishing relevant information, at least quarterly, in the City Manager's Weekly Update and that the first article be published by December 31, 2024. (F11)

## Required Responses

<i>Respondent</i>	<i>Findings</i>	<i>Recommendations</i>	<i>Respond Within/ Respond By</i>
Santa Cruz City Council	F1–F11	R1–R10	90 Days September 25, 2024

## Invited Responses

<i>Respondent</i>	<i>Findings</i>	<i>Recommendations</i>	<i>Respond Within/ Respond By</i>
Santa Cruz Chief of Police	F1, F6–F9	R4–R6	90 Days September 25, 2024
Commission for the Prevention of Violence Against Women	F1–F3, F8	R4, R6, R7	90 Days September 25, 2024
Santa Cruz City Manager	F11	R10	90 Days September 25, 2024
Superintendent, Santa Cruz City Schools	F4	R3	90 Days September 25, 2024

## Definitions

- **CIBRS:** California Incident Based Reporting System
- **CPVAW:** Commission for the Prevention of Violence Against Women
- **FBI:** Federal Bureau of Investigation
- **NIBRS:** National Incident-Based Reporting System
- **RAINN:** Rape and Incest National Network
- **SCPD:** Santa Cruz Police Department
- **UCR:** Universal Crime Report

## Sources

### References

1. RAINN. January 1, 2024. “The Criminal Justice System: Statistics.” *RAINN.org*. Accessed April 21, 2024.  
<https://www.rainn.org/statistics/criminal-justice-system>
2. City of Santa Cruz Council. July 28, 1981. “Ordinance 81-29,” p. 1. *City of Santa Cruz Commission for the Prevention of Violence against Women*. Accessed April 11, 2024.  
<https://www.cityofsantacruz.com/home/showpublisheddocument/82092/637390601527270000>
3. City of Santa Cruz Council. July 28, 1981. “Ordinance 81-29,” p. 3. *City of Santa Cruz Commission for the Prevention of Violence against Women*. Accessed January 25, 2024.  
<https://www.cityofsantacruz.com/home/showpublisheddocument/82092/637390601527270000#page=3>

4. City of Santa Cruz Commission for the Prevention of Violence Against Women. January 1, 2024. "Commission for the Prevention of Violence against Women." *CPVAW Website Homepage*. Accessed April 11, 2024.  
<https://www.cityofsantacruz.com/government/city-departments/city-manager/commission-for-the-prevention-of-violence-against-women>
5. The Commission for the Prevention of Violence against Women. January 1, 2008. "History of the Commission For The Prevention Of Violence Against Women." *CPVAW Website*. Accessed April 23, 2024.  
<https://www.cityofsantacruz.com/home/showpublisheddocument/87723/637782661752370000>
6. Commission for the Prevention of Violence Against Women: Danielle Long, Ann Simonton, Anissa Novak, Brandon Bollinger, Gabriela Trigueiro, Ilene Feinman, Karen Madura. January 1, 2023. CPVAW. *CPVAW Annual Report 2022*, p. 1. Accessed April 21, 2024.  
<https://www.cityofsantacruz.com/home/showpublisheddocument/99110/638466876461030000>
7. The CPVAW Commissioners: Delphine Burns, Dena Loijos, Danielle Long, Karen Madura, Roya Pakzad, Ann Simonton. January 1, 2021. CPVAW. *CPVAW Annual Report 2020-2021*, p. 1. Accessed April 21, 2024.  
<https://www.cityofsantacruz.com/home/showpublisheddocument/87727/637782664844500000>
8. Juror supplied picture. April 21, 2024. "'What's in your glass?' drug testing drink coaster." *Juror supplied picture*. Accessed April 21, 2024.
9. City of Santa Cruz Commission for the Prevention of Violence Against Women. November 25, 2008. SCPD & CPVAW. *The Joint Report on Sexual Assault to the Santa Cruz City Council*, p. 1. Accessed April 10, 2024.  
<https://www.cityofsantacruz.com/home/showpublisheddocument/99118/638466958983730000>
10. Cole Communications Inc. June 27, 2019. "Preventing Violence Against Women in Santa Cruz County: 2019 Needs Assessment findings," p. 1. *City of Santa Cruz*. Accessed April 21, 2024.  
<https://www.cityofsantacruz.com/home/showpublisheddocument/87711/637782660198270000>
11. May 1, 2024. "COMMISSION FOR THE PREVENTION OF VIOLENCE AGAINST WOMEN (CPVAW) Regular Meeting, May 1, 2024." *CPVAW Website*. Accessed April 30, 2024.  
<https://ecm.cityofsantacruz.com/OnBaseAgendaOnline/Meetings/ViewMeeting?id=2286&doctype=1>

12. CPVAW. March 1, 2023. "CPVAW March 1, 2023 Meeting Agenda Packet," p. 12. Accessed April 22, 2024.  
[https://ecm.cityofsantacruz.com/OnBaseAgendaOnline/Documents/ViewDocument/CPVAW\\_Regular\\_Meeting\\_2055\\_Agenda\\_Packet\\_3\\_1\\_2023\\_6\\_30\\_00\\_PM.pdf?meetingId=2055&documentType=AgendaPacket&itemId=0&publishId=0&isSection=false&#page=12](https://ecm.cityofsantacruz.com/OnBaseAgendaOnline/Documents/ViewDocument/CPVAW_Regular_Meeting_2055_Agenda_Packet_3_1_2023_6_30_00_PM.pdf?meetingId=2055&documentType=AgendaPacket&itemId=0&publishId=0&isSection=false&#page=12)
13. Karren Zook. February 12, 2008. "2005,2006,2007 Annual Report to City Council from the City of Santa Cruz Commission for the Prevention of violence Against Women," p. 16. CPVAW. Accessed April 11, 2024.  
<https://www.cityofsantacruz.com/home/showpublisheddocument/87715/637782661061730000#page=16>
14. The Commission for the Prevention of Violence against Women and the Santa Cruz Police Department. November 13, 2012. CPVAW. *The Joint Report on Sexual Assault to the Santa Cruz City Council*, p. 6. Accessed April 21, 2024.  
<https://www.cityofsantacruz.com/home/showpublisheddocument/99117/638466957956070000#page=6>
15. The Commission for the Prevention of Violence against Women. February 12, 2008. "2005, 2006, 2007 Annual Report to City Council from the City of Santa Cruz Commission for the Prevention of Violence Against Women," p. 7. CPVAW. Accessed April 11, 2024.  
<https://www.cityofsantacruz.com/home/showpublisheddocument/87715/637782661061730000#page=7>
16. Georgia Johnson. November 22, 2017. "Santa Cruz Cuts Women's self-Defense classes." *GoodTimes Newspaper*. Accessed April 22, 2024.  
<https://www.goodtimes.sc/santa-cruz-cuts-womens-self-defense-classes/>
17. The Commission for the Prevention of Violence against Women. November 1, 2023. "Recorded minutes." CPVAW website. Accessed April 21, 2024.  
<https://ecm.cityofsantacruz.com/OnBaseAgendaOnline/Meetings/ViewMeeting?id=2069&doctype=2#page=7080>
18. The Commission for the Prevention of Violence against Women. November 1, 2023. "Recorded minutes." CPVAW website. Accessed April 21, 2024.  
<https://ecm.cityofsantacruz.com/OnBaseAgendaOnline/Meetings/ViewMeeting?id=2069&doctype=2#page=5617>
19. Commission for the Prevention of Violence Against Women, the Downtown Association, the Downtown Commission and Monarch Services. April 1, 2004. "The Safe Place Network Program," p. 1. CPVAW website. Accessed April 21, 2024.  
<https://www.cityofsantacruz.com/home/showpublisheddocument/46153/635806086950330000#page=1>

20. Commission for the Prevention of Violence Against Women, the Downtown Association, the Downtown Commission and Monarch Services. October 1, 2015. "Invitation to Safe Place Network." *CPVAW Website*. Accessed April 22, 2024.  
<https://www.cityofsantacruz.com/home/showpublisheddocument/46153/635806086950330000>
21. The Commission for the Prevention of Violence Against Women, the Downtown Association, the Downtown Commission and Monarch Services. May 1, 2024. "This is a Safe Place." *CPVAW Website*. Accessed May 6, 2024.  
<https://www.cityofsantacruz.com/home/showpublisheddocument/46155/635806092744030000>
22. The Commission for the Prevention of Violence against Women. July 1, 2011. *CPVAW. 2010 Annual Report By The Commission for the Prevention of Violence Against Women Presented To The Santa Cruz City Council July 2011*, p. 5. Accessed April 21, 2024.  
<https://www.cityofsantacruz.com/home/showpublisheddocument/87717/637782661066900000#page=5>
23. The Commission for the Prevention of Violence against Women. June 1, 2023. "CPVAW June 2023 Newsletter," p. 6. *CPVAW*. Accessed January 25, 2024.  
<https://www.cityofsantacruz.com/home/showpublisheddocument/95606/638288980707830000#page=6>
24. City Councilmembers: Fred Keeley, Renee Golder, Sandy Brown, Sonja Brunner, Shebreh Kalantari-Johnson; Leadership Team Members: Matt Huffaker, Laura Schmidt, Lisa Murphy, Bonnie Bush, Lee Butler, Elizabeth Cabell, Anthony Condotti, Sara DeLeon, Tony Elliot, Bernie Escalante, Bonnie Lipscomb, Rosemary Menard, Ken Morgan, Nathan Nguyen, Robert Oatey, Yolande Wilburn. April 18, 2023. "City of Santa Cruz 5 Year Citywide Strategic Plan," p. 12. *City of Santa Cruz*. Accessed April 21, 2024.  
<https://www.cityofsantacruz.com/home/showpublisheddocument/95406/638277711616870000#page=12>
25. Confidential Grand Jury interview.
26. The Commission for the Prevention of Violence against Women. May 1, 2024. *COMMISSION FOR THE PREVENTION OF VIOLENCE AGAINST WOMEN (CPVAW) Regular Meeting May 1, 2024*. Accessed May 2, 2024.  
[https://ecm.cityofsantacruz.com/OnBaseAgendaOnline/Documents/ViewDocument/Summary%20Sheet%20for%20-%20Historical%20Analysis%20of%20SCPD%20Data%20Reports%20to%20CPVAW%20\(38975.pdf?meetingId=2286&documentType=Agenda&itemId=38975&publishId=59102&isSection=false](https://ecm.cityofsantacruz.com/OnBaseAgendaOnline/Documents/ViewDocument/Summary%20Sheet%20for%20-%20Historical%20Analysis%20of%20SCPD%20Data%20Reports%20to%20CPVAW%20(38975.pdf?meetingId=2286&documentType=Agenda&itemId=38975&publishId=59102&isSection=false)
27. Georgia Johnson. November 22, 2017. "Santa Cruz Cuts Women's self-Defense classes." *GoodTimes Newspaper*. Accessed April 22, 2024.  
<https://www.goodtimes.sc/santa-cruz-cuts-womens-self-defense-classes/>

28. Confidential Grand Jury document.
29. President Joseph R. Biden. March 28, 2022. “Remarks made by President Biden announcing the fiscal year 2023 Budget,” p. 1. *WhiteHouse.gov*. Accessed April 22, 2024.  
<https://www.whitehouse.gov/briefing-room/speeches-remarks/2022/03/28/remarks-by-president-biden-announcing-the-fiscal-year-2023-budget/>
30. Santa Cruz City Council. July 1, 2022. *City of Santa Cruz Fiscal Year 2024 Annual Budget*, p. 86. Accessed April 22, 2024.  
<https://www.cityofsantacruz.com/home/showpublisheddocument/89266/637969525610400000#page=86>
31. November 1, 2023. “COMMISSION FOR THE PREVENTION OF VIOLENCE AGAINST WOMEN (CPVAW) Police Subcommittee Meeting, November 1, 2023,” p. 83. *CPVAW agenda*. Accessed April 22, 2024.  
[https://ecm.cityofsantacruz.com/OnBaseAgendaOnline/Documents/ViewDocument/CPVAW Regular Meeting 2023 Agenda Packet 11 1 2023 6 30 00 PM.pdf?meetingId=2069&documentType=AgendaPacket&itemId=0&publishId=0&isSection=false&#page=83](https://ecm.cityofsantacruz.com/OnBaseAgendaOnline/Documents/ViewDocument/CPVAW%20Regular%20Meeting%202023%20Agenda%20Packet%2011%201%202023%206%2030%2000%20PM.pdf?meetingId=2069&documentType=AgendaPacket&itemId=0&publishId=0&isSection=false&#page=83)
32. Matt Huffaker. April 14, 2022. “City Manager’s Weekly Update, April 15, 2022.” *City Manager*. Accessed May 2, 2024.  
<https://www.cityofsantacruz.com/home/showpublisheddocument/98173/638418101936370000>
33. The Commission for the Prevention of Violence against Women and the Santa Cruz Police Department. November 25, 2008. *The Joint Report on Sexual Assault to the Santa Cruz City Council*, p. 16. Accessed April 12, 2024.  
<https://www.cityofsantacruz.com/home/showpublisheddocument/99118/638466958983730000#page=16>
34. The Commission for the Prevention of Violence against Women and the Santa Cruz Police Department. November 25, 2008. *The Joint Report on Sexual Assault to the Santa Cruz City Council*, p. 8. Accessed April 12, 2024.  
<https://www.cityofsantacruz.com/home/showpublisheddocument/99118/638466958983730000#page=8>
35. The Commission for the Prevention of Violence against Women and the Santa Cruz Police Department. November 13, 2012. CPVAW. *The Joint Report on Sexual Assault to the Santa Cruz City Council*, p. 9. Accessed April 21, 2024.  
<https://www.cityofsantacruz.com/home/showpublisheddocument/99117/638466957956070000#page=9>
36. The Commission for the Prevention of Violence against Women. January 1, 2017. CPVAW. *2014 2015 2016 Report Presented by CPVAW*, p. 2. Accessed January 25, 2024.  
<https://www.cityofsantacruz.com/home/showpublisheddocument/87721/63778261079700000#page=2>

37. U.S. Department of Justice—Federal Bureau of Investigation. January 1, 2013. “NIBRS Rape vs. SRS Rape.” *Federal Bureau of Investigation*. Accessed April 25, 2025.  
<https://ucr.fbi.gov/nibrs/2013/resources/nibrs-rape-vs.-srs-rape>
38. The Santa Cruz Police Department. January 1, 2018. “Santa Cruz Police Department, Uniform Crime Reporting, Part 1 Crimes, 2018 Report.” *SCPD*. Accessed May 12, 2024.  
<https://www.cityofsantacruz.com/home/showpublisheddocument/78590/637130644845000000>
39. The Santa Cruz Police Department. December 31, 2023. “SCPD DATA from 2020-2023 SCPD website.” *SCPD*. Accessed April 25, 2024.  
[https://ecm.cityofsantacruz.com/OnBaseAgendaOnline/Documents/ViewDocument/SCPD%20DATA%20COLLECTION%20%20MONTHLY%20REPORT\\_JANUARY%202024.PDF.pdf?meetingId=2244&documentType=Agenda&itemId=36816&publishId=56517&isSection=false](https://ecm.cityofsantacruz.com/OnBaseAgendaOnline/Documents/ViewDocument/SCPD%20DATA%20COLLECTION%20%20MONTHLY%20REPORT_JANUARY%202024.PDF.pdf?meetingId=2244&documentType=Agenda&itemId=36816&publishId=56517&isSection=false)
40. February 7, 2024. “COMMISSION FOR THE PREVENTION OF VIOLENCE AGAINST WOMEN (CPVAW) Regular Meeting, February 7, 2024.” *CPVAW Website*. Accessed April 25, 2024.  
[https://ecm.cityofsantacruz.com/OnBaseAgendaOnline/Documents/ViewDocument/CPVAW\\_Regular\\_Meeting\\_2244\\_Agenda\\_Packet\\_2\\_7\\_2024\\_6\\_30\\_00\\_PM.pdf?meetingId=2244&documentType=AgendaPacket&itemId=0&publishId=0&isSection=false](https://ecm.cityofsantacruz.com/OnBaseAgendaOnline/Documents/ViewDocument/CPVAW_Regular_Meeting_2244_Agenda_Packet_2_7_2024_6_30_00_PM.pdf?meetingId=2244&documentType=AgendaPacket&itemId=0&publishId=0&isSection=false)
41. Federal Bureau of Investigation; National Incident Based Reporting System. December 9, 2019. “National Incident-Based Reporting System (NIBRS).” *Federal Bureau of Investigation*. Accessed April 22, 2024.  
<https://www.fbi.gov/how-we-can-help-you/more-fbi-services-and-information/ucr/nibrs>
42. Confidential Grand Jury interview.
43. Rob Bonta. December 6, 2023. “Law Enforcement Code Tables.” *Office of Attorney General*. Accessed April 22, 2024.  
<https://oag.ca.gov/law/code-tables>



### Appendix A – Figure 8 Full Table<sup>[39]</sup>

	Domestic Violence/ Battery Calls	Domestic Violence/ Battery Cases 273.5 PC (Felony) & 243(e)(1) PC (Misdemeanor)	Homicide- Intimate Partner (Felony)	Sex Assault (Other) 243.4 PC (Misdemeanor or Felony)	Rape Cases 261 PC & 262 PC (Felony)	Sodomy 286 PC (Misdemeanor or Felony)	Forcible Sexual Penetration w/ a Foreign Object 289 PC (Felony)	Assault To Commit Rape 220 PC (Felony)	Stalking 646.9 PC (Misdemeanor or Felony)
<b>2021</b>									
January	26	14	0	3	1	0	1*	0	0
February	19	14	0	5	3	0	0	0	0
March	30	14	0	3	2	0	2	1	1
April	23	12	0	5	1	0	0	0	2
May	41	26	0	3	1	0	1*	0	1
June	31	21	0	6	2	0	0	0	3
July	24	18	1	6	0	0	0	0	1
August	19	13	0	5	0	0	1*	1	2
September	39	27	0	1	3	0	1	0	3
October	36	25	0	3	2	0	0	0	4
November	33	19	0	1	2	0	0	0	3
December	18	15	0	0	1	0	0	0	0
	339	218	1	41	18	0	6	2	20
<b>2022</b>									
January	21	19	0	0	4	0	0	1	3
February	26	22	0	1	1	0	1	1	1
March	18	14	0	7	1	1*	0	1	1
April	23	19	0	2	2	0	0	0	1
May	30	22	0	3	3	1*	1*	0	3
June	35	22	0	4	1	0	1*	0	2
July	37	25	0	2	1	0	0	0	0
August	35	23	0	3	2	0	0	0	3
September	33	16	0	2	1	0	1*	0	2
October	32	20	0	2	2	1*	1*	1*	3
November	26	17	0	1	2	0	0	0	2
December	27	16	0	3	0	0	0	2	1
	343	235	0	30	20	3	5	6	22
<b>2023</b>									
January	28	18	0	3	1	0	0	0	0
February	26	9	0	1	0	0	1	1	3
March	26	15	0	5	0	1	1*	1	1
April	33	23	0	1	3	2*	1*	0	0
May	35	19	0	3	1	0	0	1*	2
June	30	23	0	0	2	0	0	1	1
July	33	22	0	1	0	0	0	0	1
August	32	18	0	1	0	0	0	0	1
September	35	20	0	2	0	0	0	0	2
October	17	6	0	2	1	0	1*	1	4
November	-	11	0	1	0	0	0	0	0
December	-	17	0	1	0	0	0	0	2
	295	201	0	21	8	3	4	5	17

\* Associated with another reported case

Appendix B – Figure 9 Full Table<sup>[40]</sup>

	Domestic Violence/ Battery Calls	Domestic Violence/ Battery Cases 273.5 PC (Felony) & 243(e)(1) PC (Misdemeanor)	Homicide-Intimate Partner (Felony)	Sex Assault (Other) 243.4 PC (Misdemeanor or Felony)	All Rape Cases 261 PC & 262 <sup>1</sup> PC (Felony)	Sodomy 286 PC (Misdemeanor or Felony)	Oral Copulation 287 <sup>2,4</sup> PC (Misdemeanor or Felony)	Forcible Sexual Penetration w/ a Foreign Object 289 PC (Felony)	Assault To Commit Rape 220 PC (Felony)	Stalking 646.9 PC (Misdemeanor or Felony)
<b>2021</b>										
January	26	14	0	3	1	0	1*	1*	0	0
February	19	14	0	5	3	0	0	0	0	0
March	30	14	0	3	2	0	0	3	1*	1
April	23	12	0	5	1	0	1*	1	0	2
May	41	26	0	3	1	0	2*	2	0	1
June	31	21	0	6	2	0	0	0	0	3
July	24	18	1	6	0	0	0	0	0	1
August	19	13	0	5	0	0	0	1*	1	2
September	39	27	0	1	3	0	1*	1	0	3
October	36	25	0	3	2	0	0	0	0	4
November	33	19	0	1	2	0	0	0	0	3
December	18	15	0	0	1	0	0	0	0	0
<b>Total Cases<sup>3</sup></b>	<b>339</b>	<b>218</b>	<b>1</b>	<b>41</b>	<b>18</b>	<b>0</b>	<b>5</b>	<b>9</b>	<b>2</b>	<b>20</b>
<b>2022</b>										
January	21	19	0	0	4	0	1*	0	1	3
February	26	22	0	1	1	0	0	1	1	1
March	18	14	0	7	2	1*	1	0	1	1
April	23	19	0	2	2	0	0	0	0	1
May	30	22	0	3	4	1*	0	2*	0	3
June	35	22	0	4	1	0	0	1	0	2
July	37	25	0	2	1	0	0	1	0	0
August	35	23	0	3	2	0	0	0	0	3
September <sup>5</sup>	33	16	0	2	2	1	0	1*	0	2
October	32	20	0	2	2	1*	0	2*	1*	3
November	26	17	0	1	2	0	1*	1*	0	2
December	27	16	0	3	0	0	1*	0	2	1
<b>Total Cases</b>	<b>343</b>	<b>235</b>	<b>0</b>	<b>30</b>	<b>23</b>	<b>4</b>	<b>4</b>	<b>9</b>	<b>6</b>	<b>22</b>
<b>2023</b>										
January	28	18	0	3	1	1	0	1	0	0
February	26	9	0	1	1	0	0	2*	1*	3
March	26	15	0	5	0	1	0	1*	1	1
April	33	23	0	1	3	2*	0	1*	0	0
May	35	19	0	3	2	0	0	0	1*	2
June	30	23	0	0	2	0	0	0	1	1
July <sup>6</sup>	33	22	0	1	2	0	1	0	0	1
August	32	18	0	1	4	0	0	0	0	1
September	35	20	0	2	0	0	0	1	0	2
October	17	6	0	2	2	0	0	1*	1	4
November	9	12	0	1	0	0	0	0	0	0
December	19	17	0	1	0	0	0	0	0	2
<b>Total Cases</b>	<b>323</b>	<b>202</b>	<b>0</b>	<b>21</b>	<b>17</b>	<b>4</b>	<b>1</b>	<b>7</b>	<b>5</b>	<b>17</b>
<b>2024</b>										
January	-	13	0	0	1	0	0	0	0	0
February	-	13	1	1	2	0	1	0	0	1
March	-	17	0	1	4	2*	1*	0	1	0
<b>Total Cases</b>	<b>-</b>	<b>43</b>	<b>1</b>	<b>2</b>	<b>7</b>	<b>2</b>	<b>2</b>	<b>0</b>	<b>1</b>	<b>1</b>

\* Associated with another reported case

\*\* Data includes cases involving all genders, adults and minors

1. PC 262 repealed on October 8, 2021, (AB 1171)
2. PC 288a oral copulation, was changed to PC287 PC on January 1, 2019 (SB 1494)
3. UCR Summary totals the number of victims, not the number of cases - as reported in the table above
4. PC 287 includes PCs 288a(b)(1), 288a(c)(1), 288a(c)(2)(a), 288a(c)(3)
5. One case involving PC 288.7(A) and 286 counted as one for sodomy count
6. One case involving PC 264.1 and 261 counted as one for rape count