

CONTRA COSTA COUNTY  
**GRAND JURY**  
FINAL REPORT 2019 - 2020

**ABOUT THE COVER**

**Cover photo provided by Philip Fendyan, member of the 2019-2020 Contra Costa County Grand Jury**

**Cover design: Members of the 2019-2020 Contra Costa County Grand Jury**

Contra Costa County  
**Grand Jury**  
Final Report  
2019 - 2020

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Laura Griffin, Foreperson Pro Tempore, Martinez  
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**SUPERVISING JUDGE OF THE  
CONTRA COSTA COUNTY  
CIVIL GRAND JURY**



**HONORABLE ANITA SANTOS**  
January 2018-Present

Contra Costa County  
2019-2020 Civil Grand Jury  
725 Court Street  
Martinez, CA 94553

April 23, 2020

Dear Civil Grand Jury Members,

As I write, *Contra Costa County*, along with all in our country and our world, is facing a time of strife and challenge as we navigate through a global pandemic and the ravages of the novel *Coronavirus* and *Covid19*.

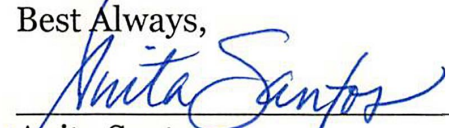
The dedication that each of you have shown to your charge and to the residents of *Contra Costa County*, especially in this climate, is worthy of the highest praise and humble appreciation. You have continued working diligently through this crisis, adjusting to the state of emergency by being flexible, cooperative and steadfast in in your work.

On behalf of the residents of *Contra Costa County* and on behalf of our courts, I express our sincere gratitude for your uniquely challenging service as civil grand jurors for the 2019-2020 term. The selfless commitment of your time and energy to the concerns of the *Contra Costa County* community is reflected in your published reports. Your thorough and detailed reports and recommendations truly demonstrate your commitment to the service you have afforded our community.

Under the outstanding leadership of your foreperson, Mrs. Anne Granlund, you have dedicated countless hours for the betterment of our county, its governance and the allocation of public resources. She has also led the charge to improved work-space and technology, a benefit to be reaped by juries to follow.

A standing ovation is in order for all of you and I pray that the experience has enriched your lives, both individually and collectively. Thank you all.

Best Always,

  
\_\_\_\_\_  
Anita Santos  
*Contra Costa County*  
*Civil Grand Jury Supervising Judge*

June 12, 2020

Honorable Anita Santos  
Judge of the Superior Court  
Contra Costa County  
725 Court Street  
Martinez, CA 94553

Dear Judge Santos,

On behalf of the 2019-2020 Contra Costa County Civil Grand Jury, it is my privilege to submit our Final Report. This collection of individual reports contains findings and recommendations regarding various government agencies within our jurisdiction. During our investigations, we heard from many dedicated government employees and elected officials. We appreciate their cooperation and the valuable information they provided to our work efforts.

Thank you for your friendship, advice, and valued counsel this year. Your oversight, guidance, and support were much appreciated by the entire Grand Jury. We also want to thank Elisa Pantaleon and Alan Frenklach, the Superior Court Administrative Assistants, for their dedicated efforts on our behalf. We are very grateful to Hannah Shafsky and Mary Ann Mason, our County Counsel advisors, who spent many hours answering our legal questions, as well as reviewing, editing, and advising on each report.

This has been a challenging year, especially with the impact of the global pandemic. When the shelter-in-place order took effect, the Grand Jury made a nearly seamless shift from in-person to virtual meetings to continue our work. I would like to personally commend and thank each Grand Juror for their dedication and commitment to the success of our term. They spent many hours interviewing, writing, and deliberating the merits of each investigation. The Grand Jury made progress under very difficult conditions to issue reports that we hope will shed light on important issues in the county, cities, and special districts of Contra Costa.

Respectfully,



Anne N. Granlund, Foreperson  
2019-2020 Contra Costa County Civil Grand Jury



A REPORT BY  
THE 2019-2020 CONTRA COSTA COUNTY CIVIL GRAND JURY  
725 Court Street  
Martinez, California 94553

**Report 2001**

# **Compliance And Continuity Report**

Contact:  
Anne N. Granlund  
Grand Jury Foreperson  
(925) 608-2621

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# CONTRA COSTA COUNTY CIVIL GRAND JURY REPORT 2001

## COMPLIANCE AND CONTINUITY REPORT

The Contra Costa County Civil Grand Jury is impaneled annually to investigate city and county government, special districts, and certain non-profit corporations to ensure that their functions are performed in a lawful, economical, and efficient manner. Findings and recommendations developed from these investigations are contained in the reports signed by the Civil Grand Jury Foreperson and the Grand Jury Judge. Responses to these reports must be made within certain time constraints and in accordance with specific formats pursuant to 933 and 933.05 of the California Penal Code. These responses to the recommendations must include one of the following legally permitted options:

- **The recommendation has been implemented** with a summary regarding the implemented action.
- **The recommendation has not been implemented, but will be implemented in the future** with a time frame for implementation.
- **The recommendation requires further analysis** with an explanation and the scope and parameters of an analysis or study and a time frame (which shall not exceed 6 months from date of report publication) for the matter to be prepared for discussion.
- **The recommendation will not be implemented because it is not warranted or not reasonable** with an explanation therefor.

The 2019-2020 Civil Grand Jury reviewed 8 reports from the 2018-2019 Civil Grand Jury. There were 28 letters, with copies of applicable reports, mailed to the different entities from which responses were required. These 8 reports made a cumulative total of 93 recommendations to the various recipients, of which 51 responses (55%) stated that the recommendation(s) have been or will shortly be implemented and 15 (16%) responses stated that the recommendation required further analysis. For further explanation and clarification of subject responses to recommendations, refer to their full responses posted online. Responses to the 2018-2019 Grand Jury reports are posted on the Contra Costa County Grand Jury Website in their entirety and can be viewed at:

<http://www.cc-courts.org/civil/grand-jury-reports.aspx>

The Grand Jury believes it is important for future Grand Juries to continue to review these responses and to be vigilant in seeing that recommendations that have been accepted are implemented. Special attention should be paid to those responses requiring implementation within specified time frames. In this manner, the commitment and hard work of past and future Grand Juries will result in positive changes for the citizens of Contra Costa County.

**CONTRA COSTA COUNTY CIVIL GRAND JURY REPORT 1902**  
**Is Charter School Oversight Effective in Contra Costa County?**

***Recommendation #1: As a condition of approving charter petitions at the next petition renewal hearing, the Office of Education should consider requiring all charter schools that are under its chartering authority to have a standardized and detailed MOU using a modified version of the CARSNet format.***

RESPONDENT	RESPONSE
Contra Costa County Superintendent of Schools, Office of Education	The recommendation has been implemented
Contra Costa County Board of Education	The recommendation has been implemented

***Recommendation #2: As a condition of approving charter petitions at the next petition renewal hearing, the Office of Education should consider including provisions for parent-teacher organizations in its MOU for all charter schools.***

RESPONDENT	RESPONSE
Contra Costa County Superintendent of Schools, Office of Education	The recommendation has been implemented
Contra Costa County Board of Education	The recommendation has been implemented

***Recommendation #3: As a condition of approving Making Waves Academy and Clayton Valley Charter High School charter petitions at the next petition renewal hearing, the Office of Education should consider requiring these schools to enter into an MOU whereby they agree to update their board of director structures.***

RESPONDENT	RESPONSE
Contra Costa County Superintendent of Schools, Office of Education	The recommendation has not yet been implemented, but will be implemented in the future
Contra Costa County Board of Education	The recommendation has not yet been implemented, but will be implemented in the future

**Recommendation #4: The Office of Education should consider developing a plan to communicate with charter schools about how it will conduct oversight by December 31, 2019.**

RESPONDENT	RESPONSE
Contra Costa County Superintendent of Schools, Office of Education	The recommendation has not yet been implemented, but will be implemented in the future
Contra Costa County Board of Education	The recommendation has not yet been implemented, but will be implemented in the future

<b>CONTRA COSTA COUNTY CIVIL GRAND JURY REPORT 1903</b> <b>Safeguarding the Library's Local History Collection</b>
---

***Recommendation #1: The Library should consider developing a short-term plan by September 2019 for safeguarding the Collection while a long-term plan is being developed and implemented.***

RESPONDENT	RESPONSE
Contra Costa County Board of Supervisors	The recommendation has been implemented

***Recommendation #2: The Board of Supervisors should consider directing the Library to develop a long-term plan for housing the Collection, including a budget, by June 2020.***

RESPONDENT	RESPONSE
Contra Costa County Board of Supervisors	The recommendation requires further analysis

***Recommendation #3: The Board of Supervisors should consider directing the Library to explore the feasibility of an agreement with the Contra Costa County Historical Society for housing the Collection by August 2019.***

RESPONDENT	RESPONSE
Contra Costa County Board of Supervisors	The recommendation requires further analysis

***Recommendation #4: The Board of Supervisors should consider providing the financial resources necessary to fund the budget for the long-term plan in the 2021-2022 fiscal year.***

RESPONDENT	RESPONSE
Contra Costa County Board of Supervisors	The recommendation requires further analysis

<b>CONTRA COSTA COUNTY CIVIL GRAND JURY REPORT 1904</b> <b>EBMUD Water Rates</b>
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***Recommendation #1: The EBMUD Board should consider directing its General Manager to improve transparency by providing customers with a narrative explanation of the cost-of- service methodology, as recommended by the League of California Cities, by December 31, 2019.***

RESPONDENT	RESPONSE
EBMUD Board of Directors	The recommendation has not yet been implemented, but will be implemented in the future

***Recommendation #2: The EBMUD Board should consider directing its General Manager to include a discussion of how rates are set and alternative methods of setting rates in the narrative explanation, by December 31, 2019.***

RESPONDENT	RESPONSE
EBMUD Board of Directors	The recommendation has not yet been implemented, but will be implemented in the future

***Recommendation #3: The EBMUD Board should consider directing its General Manager to solicit customer input and participation in its examination of Water Budget rate structures by establishing a customer advisory committee by December 31, 2019.***

RESPONDENT	RESPONSE
EBMUD Board of Directors	The recommendation requires further analysis

***Recommendation #4: The EBMUD Board should consider directing its General Manager to complete an analysis of Water Budget rate structures and communicate its findings to customers by June 30, 2020.***

RESPONDENT	RESPONSE
EBMUD Board of Directors	The recommendation requires further analysis

**Recommendation #5: The EBMUD Board should consider directing its General Manager to develop a plan to improve transparency and better engage customers in how it sets its water rates by June 30, 2020.**

RESPONDENT	RESPONSE
EBMUD Board of Directors	The recommendation has not yet been implemented, but will be implemented in the future

**Recommendation #6: The EBMUD Board should consider holding board meetings during weekday evenings, by December 31, 2019.**

RESPONDENT	RESPONSE
EBMUD Board of Directors	The recommendation has not yet been implemented, but will be implemented in the future

**Recommendation #7: The EBMUD Board should consider holding board meetings at varying locations including locations east of the Oakland/Berkeley Hills, such as in Walnut Creek, by December 31, 2019**

RESPONDENT	RESPONSE
EBMUD Board of Directors	The recommendation has not yet been implemented, but will be implemented in the future

**Recommendation #8: The EBMUD Board should consider directing its General Manager to complete the evaluation of live-streaming of Board meetings by December 31, 2019.**

RESPONDENT	RESPONSE
EBMUD Board of Directors	The recommendation requires further analysis

**Recommendation #9: The EBMUD Board should consider streaming online or televising its board meetings to encourage public participation and understanding of its activities by June 30, 2020.**

RESPONDENT	RESPONSE
EBMUD Board of Directors	The recommendation requires further analysis

<b>CONTRA COSTA COUNTY CIVIL GRAND JURY REPORT 1905</b> <b>Fire Inspection Records and Reporting</b>
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***Recommendation #1: The Fire District Board of Directors should consider directing the Fire Chief to evaluate the current staffing needs of the Code Enforcement Unit and confirm it has the staffing needed to complete the state-mandated annual inspections for schools and multifamily residences (currently about 8,000), by December 31, 2019.***

RESPONDENT	RESPONSE
Contra Costa County Fire Protection District Board of Directors	The recommendation has been implemented.

***Recommendation #2: The Fire District Board of Directors should consider directing the Fire Chief to produce public quarterly reports on the status of compliance with state-mandated inspections, including status for the prior 12 months and projected status to the end of the year, by December 31, 2019.***

RESPONDENT	RESPONSE
Contra Costa County Fire Protection District Board of Directors	The recommendation has not yet been implemented, but will be implemented in the future

***Recommendation #3: The Fire District Board of Directors should consider directing the Fire Chief to develop a publicly available Internet-based address lookup feature disclosing the status of state-mandated fire inspections, by June 30, 2020.***

RESPONDENT	RESPONSE
Contra Costa County Fire Protection District Board of Directors	The recommendation will not be implemented because it is not warranted or is not reasonable

**Recommendation #4: The Fire District Board of Directors should consider directing the Fire Chief to replace the existing RMS with a system that includes the ability to utilize a tablet device for data entry in the field, by June 30, 2020.**

RESPONDENT	RESPONSE
Contra Costa County Fire Protection District Board of Directors	The recommendation has not yet been implemented, but will be implemented in the future

**Recommendation #5: The Fire District Board of Directors should consider directing the Fire Chief to connect the new RMS database to state and local data sources and to the District's own Computer Aided Dispatch system by June 30, 2020.**

RESPONDENT	RESPONSE
Contra Costa County Fire Protection District Board of Directors	The recommendation has not yet been implemented, but will be implemented in the future

**Recommendation #6: The Fire District Board of Directors should consider directing the Fire Chief to develop and implement an audit process to verify the accuracy and completeness of the RMS data, by December 31, 2019.**

RESPONDENT	RESPONSE
Contra Costa County Fire Protection District Board of Directors	The recommendation has not yet been implemented, but will be implemented in the future

<b>CONTRA COSTA COUNTY CIVIL GRAND JURY REPORT 1906</b> <b>Protecting Children from Abuse and Neglect</b>
--

***Recommendation #1: The Board of Supervisors should consider directing EHSD to review social worker compensation to ensure that it is competitive with that of neighboring counties in the 2020-2021 budget cycle.***

RESPONDENT	RESPONSE
Contra Costa County Board of Supervisors	The recommendation has not yet been implemented, but will be implemented in the future

***Recommendation #2: The Board of Supervisors should consider implementing EHSD's proposal for incentives to aid in recruiting new social workers for CFS in the 2020-2021 budget cycle.***

RESPONDENT	RESPONSE
Contra Costa County Board of Supervisors	The recommendation requires further analysis

***Recommendation #3: The Board of Supervisors should consider directing EHSD to continue its ongoing efforts to streamline the hiring process and reduce the amount of time it takes to make hiring decisions by December 31, 2019.***

RESPONDENT	RESPONSE
Contra Costa County Board of Supervisors	The recommendation has not yet been implemented, but will be implemented in the future

***Recommendation #4: The Board of Supervisors should consider directing EHSD to hold CFS managers accountable for participating in its Leadership Development program by December 31, 2019.***

RESPONDENT	RESPONSE
Contra Costa County Board of Supervisors	The recommendation will not be implemented because it is not warranted or not reasonable

**Recommendation #5: The Board of Supervisors should consider directing EHSD to develop and implement a formal process for handling and resolving CFS client complaints by June 30, 2020.**

RESPONDENT	RESPONSE
Contra Costa County Board of Supervisors	The recommendation has not yet been implemented, but will be implemented in the future

**Recommendation #6: The Board of Supervisors should consider directing EHSD to develop and implement procedures for evaluating recommendations by the CFS staff or ombudsman for improving policies and practices by June 30, 2020.**

RESPONDENT	RESPONSE
Contra Costa County Board of Supervisors	The recommendation has been implemented.

**Recommendation #7: The Board of Supervisors should consider directing EHSD to require the ombudsman to report to the director of EHSD, rather than the director of CFS, by December 31, 2019.**

RESPONDENT	RESPONSE
Contra Costa County Board of Supervisors	The recommendation will not be implemented because it is not warranted or not reasonable

<b>CONTRA COSTA COUNTY CIVIL GRAND JURY REPORT 1907</b> <b>Stormwater Trash Reduction</b>
--

***Recommendation #1: The City Councils of Hercules and Pinole should each consider directing their city manager to implement trash controls to bring them into compliance with the 80% trash reduction goal by December 31, 2019.***

RESPONDENT	RESPONSE
City of Hercules	The recommendation has been implemented
City of Pinole	The recommendation has been implemented

***Recommendation #2: The City/Town Councils of Antioch, Brentwood, Clayton, Danville, Moraga, Oakley, Orinda, Pleasant Hill, and San Ramon should consider limiting the use of Styrofoam containers in their communities by June 30, 2020.***

RESPONDENT	RESPONSE
City of Antioch	The recommendation requires further analysis
City of Brentwood	The recommendation will not be implemented because it is not warranted or is not reasonable
City of Clayton	The recommendation will not be implemented because it is not warranted or is not reasonable
Town of Danville	The recommendation will not be implemented because it is not warranted or is not reasonable
Town of Moraga	The recommendation will not be implemented because it is not warranted or is not reasonable
City of Oakley	The recommendation will not be implemented because it is not warranted or is not reasonable
City of Orinda	The recommendation will not be implemented because it is not warranted or is not reasonable
City of Pleasant Hill	The recommendation requires further analysis
City of San Ramon	The recommendation requires further analysis

**Recommendation #3: The Board of Supervisors and all City/Town Councils should consider directing staff to provide a concise summary of their Annual Reports, citing their accomplishments, challenges, costs, and funds needed to fully comply with the Permit, by December 31, 2019.**

RESPONDENT	RESPONSE
Contra Costa County Board of Supervisors	The recommendation has not yet been implemented, but will be implemented in the future
City of Antioch	The recommendation will not be implemented because it is not warranted or is not reasonable
City of Brentwood	The recommendation will not be implemented because it is not warranted or is not reasonable
City of Clayton	The recommendation will not be implemented because it is not warranted or is not reasonable
City of Concord	The recommendation will not be implemented because it is not warranted or is not reasonable
Town of Danville	The recommendation will not be implemented because it is not warranted or is not reasonable
City of El Cerrito	The recommendation has been implemented
City of Hercules	The recommendation will not be implemented because it is not warranted or is not reasonable
City of Lafayette	The recommendation has not yet been implemented, but will be implemented in the future
City of Martinez	The recommendation has been implemented
Town of Moraga	The recommendation requires further analysis
City of Oakley	The recommendation will not be implemented because it is not warranted or is not reasonable
City of Orinda	The recommendation will not be implemented because it is not warranted or is not reasonable
City of Pinole	The recommendation has not yet been implemented, but will be implemented in the future
City of Pittsburg	The recommendation has not yet been implemented, but will be implemented in the future

City of Pleasant Hill	The recommendation has not yet been implemented, but will be implemented in the future
City of Richmond	The recommendation has been implemented
City of San Pablo	The recommendation has not yet been implemented, but will be implemented in the future
City of San Ramon	The recommendation has been implemented
City of Walnut Creek	The recommendation has not yet been implemented, but will be implemented in the future

***Recommendation #4: The Board of Supervisors and all City/Town Councils should consider identifying additional revenue sources to fully fund Permit requirements in order to comply with the Permit and avoid potential liability, by June 30, 2020.***

RESPONDENT	RESPONSE
Contra Costa County Board of Supervisors	The recommendation has not yet been implemented, but will be implemented in the future
City of Antioch	The recommendation has been implemented
City of Brentwood	The recommendation has been implemented
City of Clayton	The recommendation has been implemented
City of Concord	The recommendation will not be implemented because it is not warranted or is not reasonable
Town of Danville	The recommendation will not be implemented because it is not warranted or is not reasonable
City of El Cerrito	The recommendation has been implemented
City of Hercules	The recommendation will not be implemented because it is not warranted or is not reasonable
City of Lafayette	The recommendation has been implemented
City of Martinez	The recommendation will not be implemented because it is not warranted or is not reasonable
Town of Moraga	The recommendation requires further analysis

City of Oakley	The recommendation has been implemented
City of Orinda	The recommendation will not be implemented because it is not warranted or is not reasonable
City of Pinole	The recommendation requires further analysis
City of Pittsburg	The recommendation will not be implemented because it is not warranted or is not reasonable
City of Pleasant Hill	The recommendation has been implemented
City of Richmond	The recommendation will not be implemented because it is not warranted or is not reasonable
City of San Pablo	The recommendation will not be implemented because it is not warranted or is not reasonable
City of San Ramon	The recommendation has been implemented
City of Walnut Creek	The recommendation will not be implemented because it is not warranted or is not reasonable

<b>CONTRA COSTA COUNTY CIVIL GRAND JURY REPORT 1908</b> <b>Contra Costa County Sheriff's Forensic Services Division</b>
--

***Recommendation #1: The Sheriff's Office should consider preparing a five-year strategic plan for the Crime Lab by December 31, 2020.***

RESPONDENT	RESPONSE
Contra Costa County Office of the Sheriff	The recommendation has not yet been implemented, but will be implemented in the future

***Recommendation #2: As part of a five-year strategic plan, the Sheriff's Office should consider evaluating whether to consolidate its Crime Lab facilities, assess staffing needs, and develop an equipment update plan by December 31, 2020.***

RESPONDENT	RESPONSE
Contra Costa County Office of the Sheriff	The recommendation has not yet been implemented, but will be implemented in the future

***Recommendation #3: The Sheriff's Office should consider expanding its outreach to all law enforcement agencies in the County to promote its newly acquired equipment, turnaround times, and available capacity for testing by December 31, 2019.***

RESPONDENT	RESPONSE
Contra Costa County Office of the Sheriff	The recommendation has not yet been implemented, but will be implemented in the future

***Recommendation #4: To eliminate the redundancy of effort and seek a competitive rate, the Sheriff's Office should consider studying the possibility of becoming the GSR testing contract organization for all law enforcement agencies in the County by December 31, 2020.***

RESPONDENT	RESPONSE
Contra Costa County Office of the Sheriff	The recommendation requires further analysis

<b>CONTRA COSTA COUNTY CIVIL GRAND JURY REPORT 1909</b> <b>Contra Costa County Psychiatric Emergency Services</b>
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***Recommendation #1: The Board of Supervisors should consider directing Contra Costa Health Services to perform a comprehensive needs assessment that would include a redesign of the PES facility that would separate children and adolescents from adult patients by June 30, 2020.***

RESPONDENT	RESPONSE
Contra Costa County Board of Supervisors	The recommendation has not yet been implemented, but will be implemented in the future

***Recommendation #2: The Board of Supervisors should consider directing Contra Costa Health Services to investigate the use of the Medical Center's vacant wing (4D) as a temporary holding area for children and adolescents waiting for long-term placement in other facilities by December 31, 2019.***

RESPONDENT	RESPONSE
Contra Costa County Board of Supervisors	The recommendation will not be implemented because it is not warranted or is not reasonable

***Recommendation #3: The Board of Supervisors should consider directing Contra Costa Health Services to develop a plan to operate a treatment center for children and adolescents who need long-term psychiatric care by June 30, 2020. The treatment center could either be within the County or in collaboration with neighboring counties.***

RESPONDENT	RESPONSE
Contra Costa County Board of Supervisors	The recommendation has been implemented

***Recommendation #4: The Board of Supervisors should consider directing Contra Costa Health Services to explore entering into a contract with John Muir Health Concord Medical Center to accept and treat 5150 patients presently only served by the County by June 30, 2020.***

RESPONDENT	RESPONSE
Contra Costa County Board of Supervisors	The recommendation has been implemented



A REPORT BY  
THE 2019-2020 CONTRA COSTA COUNTY CIVIL GRAND JURY  
725 Court Street  
Martinez, California 94553

Report 2002

# Securing Our Water Supply From Cyberattack

APPROVED BY THE GRAND JURY

Date 4/23/2020

  
ANNE N. GRANLUND  
GRAND JURY FOREPERSON

ACCEPTED FOR FILING

Date APR 23 2020

  
ANITA SANTOS  
JUDGE OF THE SUPERIOR COURT

Contra Costa County Civil Grand Jury Report 2002

**Securing Our Water Supply From Cyberattack**

**TO: Board of Directors, Contra Costa Water District,  
Board of Directors, East Bay Municipal Utilities District**

**SUMMARY**

Contra Costa County residents rely on the water districts to deliver safe, clean water for drinking, cleaning, and sanitation. The government sets standards for water purity, and the water districts must abide by the standards.

Terrorist attacks – both foreign and domestic – are on the rise around the world. Terrorism is the unlawful use of force and violence against a government or agency in furtherance of political or social objectives. The disruption of society through the destruction of our infrastructure is one form of these attacks. Water is a crucial infrastructure, with two primary agencies providing water to Contra Costa County residents – Contra Costa Water District and East Bay Municipal Utilities District. This investigation focuses on these two agencies and asks the following questions:

- Is Contra Costa's water supply safe from a cyberattack (also called a computer attack)?
- Are Contra Costa's primary water districts taking all required measures to secure the water supply?
- Are the water districts informing the public and their customers about the measures they are taking to keep the public water supply safe?

The Grand Jury concluded both districts have plans in place to protect Contra Costa's water supply from cyberattacks and meet the new federal requirements for assessing, certifying, and developing an emergency response plan required by August 31, 2020.

The Grand Jury recommends the water districts consider using the guidance provided by the United States Environmental Protection Agency to meet the requirements of the

American Water Infrastructure Act. The Grand Jury recommends the water districts consider updating their security policy statements and publish the statements on their public websites. Finally, the Grand Jury recommends the water districts consider applying for grants under the federal Drinking Water Infrastructure Risk and Resilience Program to strengthen the resilience of their water systems and offset costs that might otherwise be paid by customers.

## **METHODOLOGY**

The Grand Jury used the following investigative methods:

- Interviewed Contra Costa Water District (CCWD) and East Bay Municipal Utilities District (EBMUD) representatives
- Reviewed reports, presentations, and documents provided by EBMUD and CCWD through requests for information
- Researched documents available on the EBMUD website ([www.ebmud.com](http://www.ebmud.com)), CCWD website ([www.ccwater.com](http://www.ccwater.com)), and other related websites listed in the reference section of this report
- Conducted an on-site review of sensitive documents and discussed the contents with district staff

## **BACKGROUND**

Terrorism is the unlawful use of force and violence against a government or agency in furtherance of political or social objectives. The terrorist attacks on September 11, 2001, led to a heightened awareness of threats and the subsequent creation of the Department of Homeland Security (DHS). Its charter included identifying and preventing all forms of cyberattacks. The ransomware attacks on the Contra Costa Library system and the Pittsburg Unified School District are examples of recent cyberattacks in Contra Costa County. Cyberattacks compromise an organization's information technology (IT) or operational technology (OT) systems, preventing the organization from accomplishing its mission. WaterISAC is the information sharing and operational arm of the U.S. water and wastewater sector. It states these attacks can take any of the following forms:

- Successful ransomware attacks or close calls
- Successful installations of malware that had or may have had an impact on the utility's ability to conduct business and operations
- Phishing campaigns (sending fraudulent communications that appear to come from a reputable source), including successful or attempted spear-phishing of executives and key personnel
- Data thefts

- Social engineering (the use of deception to manipulate individuals into divulging confidential or personal information for fraudulent purposes) in an attempt to gather sensitive information (2019, pp. 3-4)

## **Federal Response to Cyberattacks**

In 2003, Homeland Security Presidential Directive 7 required federal agencies to identify critical national infrastructures. The Directive established the U.S. Environmental Protection Agency (EPA) as the designated agency to protect water infrastructure. Over time, the EPA's role changed from physical protection of reservoirs, pipelines, and treatment plants to safeguarding against a multitude of malevolent attacks. These include cyberattacks on the computers of the industrial control systems (ICS) used in all modern water systems. The EPA issued the Water Security Research and Technical Support Action Plan in 2003, guiding the current state of research into water security.

In February 2013, President Obama issued Executive Order 13636: *Improving Critical Infrastructure Cybersecurity*, which recognized that cyberattacks “have a debilitating impact on security, national economic security, national public health or safety, or any combination of those matters.” (p. 11741). The Cybersecurity Enhancement Act of 2014 formalized the National Institute of Standards and Technology's (NIST) role in developing a voluntary framework for all industries to identify, assess, and manage cyber risks. (2018, p. 1). Both the EPA and NIST continue to publish and encourage enterprises to follow cybersecurity guidelines voluntarily.

In 2018, the DHS, Cyber Security Division, issued an alert stating Russia was actively targeting American infrastructure to include “energy, nuclear, commercial facilities, water, aviation, and critical manufacturing sectors.” (2018, p.1). The alert notified thousands of network defenders around the United States to better defend against a Russian attack. It listed the tactics, techniques, and procedures employed by terrorists to circumvent IT firewalls and attack OT systems. Attacks on the OT systems disable the ICS used by all modern water treatment facilities that control the valves and chemicals to treat drinking water.

## **Federal Law Becomes Directive**

In 2018, President Trump signed the American Water Infrastructure Act (AWIA) protecting community water systems from cyberattacks, among other things. All water systems serving over 3,300 customers must comply. Section 2013 of the AWIA provides for:

- **Risk and Resilience Assessments (RRA)** – The assessment must include:
  - The risk to the system from malevolent acts and natural hazards
  - The resilience of all physical infrastructure to source, transfer, and treat drinking water; and electronic, computer, or other automated systems (including the security of such systems)
  - Monitoring practices of the system
  - The financial infrastructure of the system
  - Use, storage, or handling of various chemicals by the system
  - Operation and maintenance of the system
- **Baseline Information** – The EPA provided this information in August 2019, and defined what constitutes malevolent acts on a community water system:
  - Substantially disrupt the ability of the system to provide a safe and reliable supply of drinking water
  - Otherwise, present significant public health or economic concerns to the community served by the system
- **Certification** – Using EPA’s Baseline Information, each community water system completes its RRA certifying that it complies. It then submits the RRA to the EPA by March 31, 2020, for systems serving a population of 100,000 or more. See Appendix for a copy of the RRA certification form.
- **Emergency Response Plan (ERP)** – The plan incorporates the findings of the RRA. The plan must be completed and certified to the EPA within six months after the RRA. See Appendix for a copy of the ERP certification form. The ERP must consist of:
  - Strategies and resources to improve the resilience of the system, including the physical security and cybersecurity of the system
  - The identification and implementation of plans and procedures used in the event of a malevolent act or natural disaster that threatens the community water system’s ability to deliver safe drinking water
  - Procedures to lessen the impact of a malevolent act or natural hazard on public drinking water
  - Strategies to aid in the detection of malevolent acts or natural hazards that threaten the security or resilience of the system

- **Technical Assistance and Grants** – This provision establishes the Drinking Water Infrastructure Risk and Resilience Program to award grants in 2020 and 2021. The community water system agrees to use the grant funds exclusively to assist in the planning, design, construction, or implementation of a program or project supporting its ERP (U.S. Congress, 2018). Otherwise, costs for these upgrades might be passed on to the water district’s customers.

The U.S. has over 151,000 water districts, making it difficult to prevent every cyber-attack. The Grand Jury reviewed the cyberattack preparedness of Contra Costa’s two largest water districts: Contra Costa Water District and East Bay Municipal Utilities District.

## **Contra Costa County’s Water Districts**

The Contra Costa Local Agency Formation Commission (LAFCO) authorized the organization of CCWD (2013, p. 99). CCWD has 500,000 customers (44% of the County’s population) in its 220 square mile service area (Figure 1). It is the largest water district in the County and one of the largest urban water districts in the state. CCWD provides treated water to approximately 200,000 customers in Clayton, Clyde, Concord, Pacheco, Port Costa, and parts of Martinez, Pleasant Hill, and Walnut Creek. As a wholesaler, CCWD provides treated water to Antioch, Bay Point, and a portion of Brentwood. Additionally, it provides wholesale untreated water to the cities of Antioch, Martinez, and Pittsburg (CCWD, 2016, p. 1-1).

CCWD receives water from the Sacramento-San Joaquin Delta through four separate intakes. It then moves water through the 48-mile Contra Costa Canal, which starts at Rock Slough and ends at the Martinez Reservoir. Los Vaqueros Reservoir acts as the District’s primary water storage. On July 24, 2018, CCWD announced that the California Water Commission gave \$459 million of Proposition 1 funding to expand Los Vaqueros Reservoir to 275,000 acre-feet, nearly doubling its capacity. A five-member elected Board of Directors (BOD) governs the district.

### Contra Costa Water District Boundary and SOI

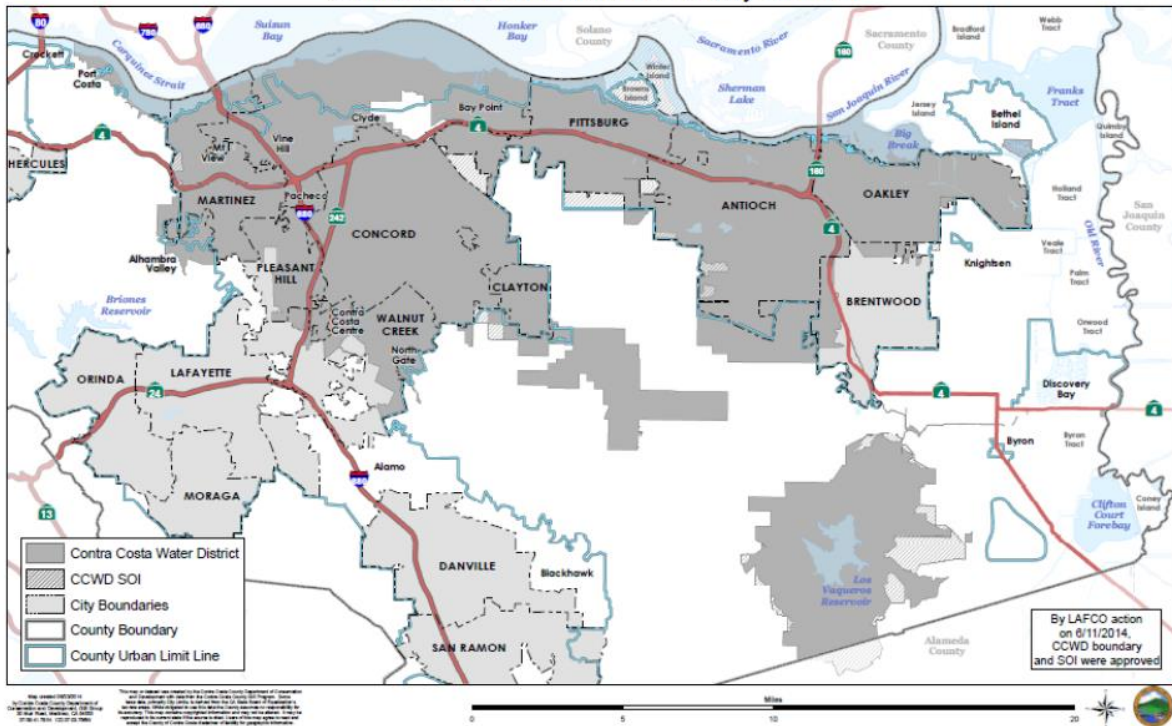


Figure 1. CCWD Service Area, 2014

The Alameda County LAFCO authorized the organization of EBMUD. It covers a 332-square-mile service area in Contra Costa and Alameda Counties (Figure 2). In Contra Costa County, EBMUD has a 146 square-mile service area with 470,000 customers, or 39% of the County's population. The district serves the following communities in Contra Costa County: Alamo, Danville, Crockett, El Cerrito, Kensington, Hercules, Lafayette, Moraga, Orinda, Pinole, Richmond, Rodeo, San Ramon, and Walnut Creek. EBMUD receives its water from the Mokelumne River watershed in the Sierra Nevada mountains. Two large reservoirs in the Sierra foothills store water until it moves to the East Bay for treatment and distribution. A seven-member elected BOD governs the district, with five members representing a portion of Contra Costa County.

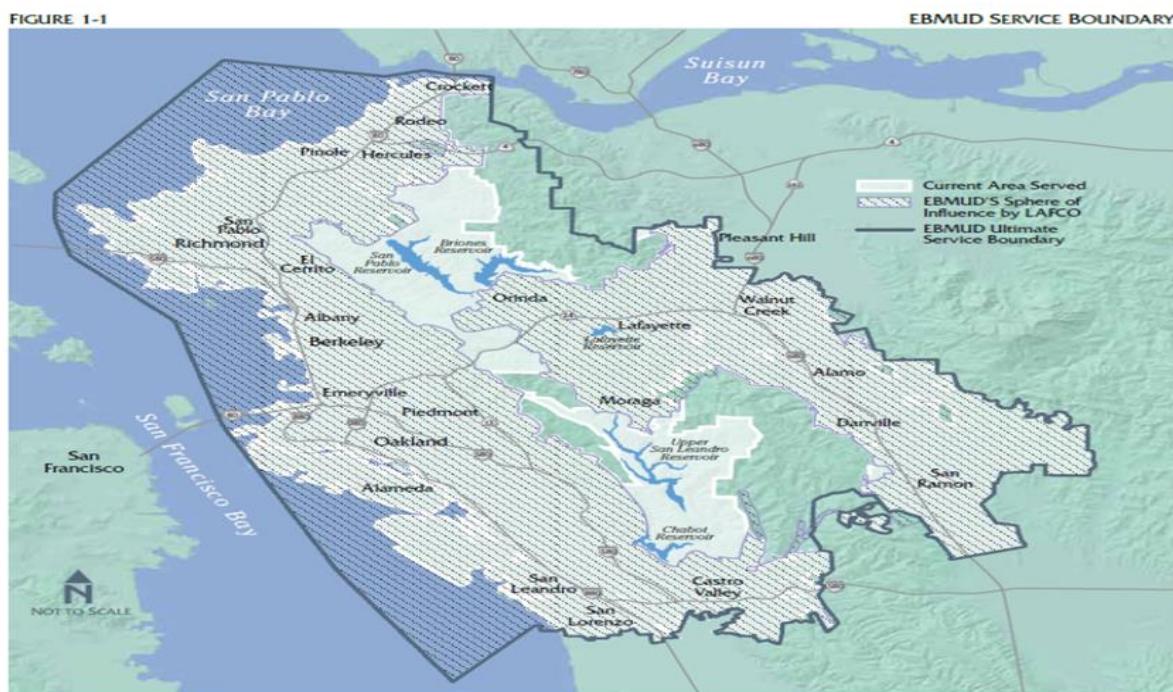


Figure 2 EBMUD Service Area Alameda and Contra Costa Counties

## DISCUSSION

This investigation examined how Contra Costa's two largest water districts protect the public drinking water from cyberattacks. It focused on compliance with AWIA's requirement for the RRA and its certification by March 31, 2020, and preparation of the ERP by August 31, 2020. The AWIA does not require the public release of the actual RRA, but the certification requires the districts to meet EPA Baseline Standards, issued in August 2019. The Grand Jury asked the districts for information on their approach, plans to meet the law, and when they would complete the required work.

## **EPA Guidance**

The EPA developed a guidance document to provide baseline information regarding malevolent acts of relevance to community water systems (EPA, 2019a). The AWIA does not specify standards, methods, or tools to complete the RRA. However, the EPA “recommends the use of standards, including the American Water Works Association’s J100-10 Risk and Resilience Management of Water and Wastewater Systems, along with tools from the U.S. EPA (e.g., VSAT) and other organizations, to facilitate sound risk and resilience assessments.” (EPA, 2019b).

The EPA created a series of documents, tutorials, web-based assessment tools, and websites all designed to meet AWIA, Section 2013 requirements:

- America’s Water Infrastructure Act of 2018 (AWIA): Overview
- America's Water Infrastructure Act: Risk Assessments and Emergency Response Plans
- Drinking Water or Wastewater Utility Risk Assessment: Vulnerability Self-Assessment Tool - Web-Enabled (VSAT Web) 2.0

EBMUD and CCWD must comply with the EPA Baseline Information guidance and complete the certification by March 31, 2020. Given the scope of the RRA outlined in the background of this report, the use of EPA’s VSAT Web will assist the water districts in completing their assessment. Although third party standards are not mandated, EPA’s recommendation to follow American Water Works Association’s (AWWA’s) J100-10 standard will help the water districts in completing their assessment and meeting the requirements of AWIA.

## **EBMUD**

EBMUD maintains its IT and OT hardware, software, and protections using commercial off-the-shelf (COTS) components. The OT is separate from the IT, and EBMUD indicated that this element to the ICS exceeds current industry practices. As an example, EBMUD does not connect mobile devices used to maintain the system to the Internet. This physical separation of IT from the OT hinders inserting malware into the ICS.

EBMUD initiated an internal vulnerability assessment in 2014 and published its findings in 2015. The assessment remains the key to its cyberattack mitigation strategy. AWIA does not preclude the use of old assessments. EPA cautions: “If the water system has omitted, modified, or added components that must be addressed under AWIA, then the water system must assess the risk to and resilience of the omitted, modified, or added components before certifying the assessment.” (2019b, p. 2).

As a result of the 2015 vulnerability assessment, EBMUD conducts on-going audits and upgrades to mitigate the issues raised in the report. The district assesses itself to be at NIST Tier 3, Repeatable (subject to EPA audit). According to NIST (2018, p. 8): “Tiers describe an increasing degree of rigor and sophistication in cybersecurity risk management practices. They help determine the extent to which cybersecurity risk management is informed by business needs and is integrated into an organization’s overall risk management practices.” Tier 3 is next to the highest rating established by NIST. The Grand Jury commends EBMUD for maintaining this standard.

EBMUD has organized a project team within its Regulatory Compliance Division. Members of that team completed certification in AWWA’s Utility Risk and Resilience Program. EBMUD intends to map existing documents into the AWWA J100-10 framework to meet the RRA requirement. EPA recommends using the AWWA J100-10 standard in meeting the RRA requirement (2019b, p. 2). The Grand Jury commends EBMUD for following this guidance. EBMUD must determine if the 2015 vulnerability assessment comprehensively meets the requirements of AWIA.

EBMUD will use its existing Emergency Operations Plan and Business Continuity Plan to fulfill the ERP requirement. EBMUD may modify these plans as part of the RRA. EPA provides the Vulnerability Self-Assessment Tool - Web-Enabled (VSAT Web) 2.0 to assist in this work.

The Drinking Water Infrastructure Risk and Resilience Program provides grants in 2020 and 2021 to increase the resilience of water systems based on ERP requirements. These grants will help offset water rate increases that customers might otherwise pay. EBMUD should consider using this program to gain federal funding to improve the resilience of its water system.

EBMUD’s public website has no information on its physical security or cybersecurity program, and a web search at the time of this report’s publication revealed only one document published in 2012. However, the document does not reflect the vulnerability assessment reported in 2015, the current investment in cybersecurity, or the efforts to comply with AWIA. Information about cyber security informs the public of the ongoing cyber threat and what EBMUD is doing to counter that threat.

## **CCWD**

CCWD maintains its IT and OT hardware, software, and protections using COTS components. The Grand Jury investigation did not indicate if CCWD’s IT and OT systems were physically separate. One security feature CCWD did state was that its vehicle area network allowed crews to connect their computers to the OT network while at job sites.

CCWD has not officially adopted AWWA G430 Utility Management Standards, but its internal program to reduce cyberattack vulnerability conforms to this standard. CCWD also stated it generally adheres to the NIST Framework (2018), with the following elements applicable to cybersecurity:

- Key personnel receive regular training on current cybersecurity issues, vulnerabilities, and threats. There is a security check to comply with the federal Bioterrorism Act of 2002. A third-party vendor completes an annual cybersecurity review and risk assessment.
- Critical systems are physically separated. Both physical and computer systems maintain access control. The staff receives regular cybersecurity awareness training.
- CCWD continuously monitors and audits access logs to all systems.
- Response plans exist, and the staff routinely conducts exercises. Emergency response capability is continuously maintained.
- There is a recovery plan for critical data, and there are redundant backups.

The Grand Jury commends CCWD for training its personnel on cybersecurity issues and exercise of its emergency response plans. CCWD's responses in other areas require further explanation.

- AWIA's RRA replaces the Bioterrorism Act's vulnerability assessment and certification (Federal Register, 2019, pp. 11536-11538). Therefore, any activity in support of the Bioterrorism Act will no longer be required. The CCWD list of contracts did not list the third-party annual cybersecurity review and risk assessment.
- CCWD did not define its critical systems. The separation of IT from the OT systems hinders the introduction of malware into its operations.
- The Grand Jury specifically asked CCWD to define and show the Tier level it has achieved as part of the NIST Framework. The tiers determine if the business needs to inform its cybersecurity risk management. CCWD did not identify what Tier it has reached. CCWD did not explain its rationale on the NIST Tier level.

CCWD's staff participated in the following training to support the RRA and ERP projects:

- EPA-led training in RRA and ERP requirements
- EPA-led training on earthquake threat mitigation
- Consultant-led training on the importance of AWIA

CCWD issued a memo on March 11, 2020, detailing its plan to conform to the requirements of AWIA. CCWD acknowledged AWIA supersedes the 2002 Bioterrorism Act, and its compliance activities focus on AWIA. CCWD intends to address all the risk categories of the RRA and limit natural hazards to those expected in Contra Costa County: earthquakes, wildfires, floods, power outages, and drought. CCWD will assess all asset categories (pipes, treatment centers, electronic, computer, and all automated systems, etc.). CCWD will aggregate its existing plans and publications into a Reference Document Table. It will then create a Compliance Report using two matrices – one for natural threats and one for malevolent threats. CCWD was expected to submit the Compliance Report to the EPA by March 31, 2020, to meet the RRA certification requirement. CCWD must comply with the Baseline Standards established by the EPA.

EPA's guidance and creation of the VSAT Web tool for self-assessment and recommendation to follow the AWWA J100-10 standard provide CCWD with the tools necessary to complete the RRA if the district decides to use them. The Grand Jury compared the information CCWD supplied with the required assessment under EPA's RRA certificate (see Appendix) - it met all the assessment criteria. CCWD has not published its RRA certificate on its public website.

The Drinking Water Infrastructure Risk and Resilience Program provides grants in 2020 and 2021 to increase the resilience of water systems based on ERP requirements. These grants will help offset water rate increases that otherwise customers would pay. CCWD should consider using this program to gain federal funding to improve the resilience of its water system.

CCWD published the memo described above detailing its compliance with AWIA. Other than this new memo, there is no mention on its website informing the public of the current cyber threat. Although the memo details CCWD's response to AWIA, it is an attachment to the minutes of a Board meeting. A prominent public statement would give residents an understanding of the commitment and effort CCWD makes to defend against cyberattacks.

## FINDINGS

- F1. EBMUD's response to the American Water Infrastructure Act is timely and conforms to all requirements of this Act.
- F2. EBMUD's use of staff rather than an outside consultant for the Risk and Resilience Assessment complies with the American Water Infrastructure Act requirements.
- F3. EBMUD expects to reuse existing plans to comply with the American Water Infrastructure Act Emergency Response Plan. The Act does not discuss the reuse of existing plans, and the impact on EBMUD's certification cannot be determined.
- F4. EBMUD's public security notice on its website does not include a discussion about previous risk assessments.
- F5. EBMUD's public security notice on its website does not discuss the American Water Infrastructure Act requirements, or how EBMUD intends to comply with this Act.
- F6. Federal funding is available through the Drinking Water Infrastructure Risk and Resilience Program that could strengthen EBMUD's cybersecurity infrastructure. These grants help offset water rate increases that customers might otherwise pay.
- F7. CCWD's response to the American Water Infrastructure Act is timely and conforms to all requirements of this Act.
- F8. CCWD's use of staff and an outside consultant for the Risk and Resilience Assessment complies with the American Water Infrastructure Act requirements.
- F9. CCWD's designated Risk and Resilience Assessment & Emergency Response Plan team received specific, relevant training in the areas specified under Section 2013 of the American Water Infrastructure Act.
- F10. There is no CCWD public website statement on the issue of cybersecurity or its program to counter cyberattacks.
- F11. The Grand Jury found no evidence regarding CCWD's National Institute of Standards and Technology Tier level. The National Institute of Standards and Technology Tier level is releasable to the public and essential to inform CCWD of how safe its water supply is from cyberattacks.
- F12. Federal funding is available through the Drinking Water Infrastructure Risk and Resilience Program that could strengthen CCWD's cybersecurity infrastructure. These grants help offset water rate increases that customers might otherwise pay.

## RECOMMENDATIONS

Note: The Grand Jury conducted the majority of its investigation before Contra Costa County and the State of California issued shelter-in-place orders. The Jury recognizes that County departments, agencies, and cities are currently addressing COVID-19 related matters and the Jury has adjusted implementation dates in the recommendations accordingly.

- R1. EBMUD Board of Directors should consider publishing a cyber policy acknowledging the cyberattack threat and informing the public of its programs to overcome and prevent attacks on the public water supply by December 31, 2020.
- R2. EBMUD Board of Directors should consider publishing its conformance with the American Water Infrastructure Act on its public webpage by December 31, 2020.
- R3. EBMUD Board of Directors should consider applying for a grant to offset new technology costs and strengthen its cybersecurity infrastructure under the Drinking Water Infrastructure Risk and Resilience Program by December 31, 2020.
- R4. CCWD Board of Directors should consider publishing a cyber policy acknowledging the cyberattack threat and informing the public of its programs to overcome and prevent attacks on the public water supply by December 31, 2020.
- R5. CCWD Board of Directors should consider applying for a grant to offset new technology costs and strengthen its cybersecurity infrastructure under the Drinking Water Infrastructure Risk and Resilience Program by December 31, 2020.

## REQUIRED RESPONSES

	<b>Findings</b>	<b>Recommendations</b>
EBMUD Board of Directors	F1 - F6	R1 - R3
CCWD Board of Directors	F7 - F12	R4 - R5

These responses must be provided in the format and by the date set forth in the cover letter that accompanies this report. An electronic copy of these responses in the form of a Word document should be sent by e-mail to [ctadmin@contracosta.courts.ca.gov](mailto:ctadmin@contracosta.courts.ca.gov), and a hard (paper) copy should be sent to:

Civil Grand Jury – Foreperson  
725 Court Street  
P.O. Box 431  
Martinez, CA 94553-0091

## Appendix

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## **Acronyms**

AWIA: American Water Infrastructure Act of 2018

AWWA: American Water Works Association

BOD: Board of Directors

CCWD: Contra Costa Water District

COTS: Commercial off-the-shelf

DHS: U.S. Department of Homeland Security

EBMUD: East Bay Municipal Utilities District

EPA: U.S. Environmental Protection Agency

ERP: Emergency Response Plan

ICS: Industrial control systems

IT: Information technology

LAFCO: Local Agency Formation Commission

NIST: National Institute of Standards and Technology

OT: Operational technology

RRA: Risk and Resilience Assessment

SOI: Sphere of Influence

# EPA Risk and Resilience Assessment Certification Form

## Certification of Community Water System Risk and Resilience Assessment in Compliance with America's Water Infrastructure Act of 2018

### Part (A): Community Water System Identification

Community Water System Name: \_\_\_\_\_

Community Water System Complete Mailing Address: \_\_\_\_\_  
\_\_\_\_\_

Public Water System Identification Number: \_\_\_\_\_

Population Served: \_\_\_\_\_

### Part (B): Certification Date

Date of the certification: \_\_\_\_\_

### Part (C): Certification Statement

I, \_\_\_\_\_

*[Name of certifying official]*

hereby certify that the community water system named under Part A, above, has *[select all that apply]*

conducted  reviewed  reviewed and revised

an assessment of the risks to, and resilience of, its system. This assessment included an assessment of:

1. The risk to the system from malevolent acts and natural hazards;
2. The resilience of the pipes and constructed conveyances, physical barriers, source water, water collection and intake, pretreatment, treatment, storage and distribution facilities, electronic, computer, or other automated systems (including the security of such systems) which are utilized by the system;
3. The monitoring practices of the system;
4. The financial infrastructure of the system;
5. The use, storage, or handling of various chemicals by the system; and
6. The operation and maintenance of the system; and
7. Optionally, may include an evaluation of capital and operational needs for risk and resilience management for the system.

\_\_\_\_\_  
*[Signature of certifying official - click to add a digital signature, or print and sign]*

# EPA Emergency Response Plan Certification Form

## Certification of Community Water System Emergency Response Plan in Compliance with America's Water Infrastructure Act of 2018

### Part (A): Community Water System Identification

Community Water System Name: \_\_\_\_\_

Community Water System Complete Mailing Address: \_\_\_\_\_  
\_\_\_\_\_

Public Water System Identification Number: \_\_\_\_\_

Population Served: \_\_\_\_\_

### Part (B): Certification Date

Date of the certification: \_\_\_\_\_

### Part (C): Certification Statement

I, \_\_\_\_\_

*[Name of certifying official]*

hereby certify that the community water system named under Part A has completed an emergency response plan that incorporates findings of the risk and resilience assessment conducted under Section 2013(a) of America's Water Infrastructure Act of 2018 for such system (and any revisions thereto). This emergency response plan includes:

1. Strategies and resources to improve the resilience of the system, including the physical security and cybersecurity of the system;
2. Plans and procedures that can be implemented, and identification of equipment that can be utilized, in the event of a malevolent act or natural hazard that threatens the ability of the community water system to deliver safe drinking water;
3. Actions, procedures, and equipment which can obviate or significantly lessen the impact of a malevolent act or natural hazard on the public health and the safety and supply of drinking water provided to communities and individuals, including the development of alternative source water options, relocation of water intakes, and construction of flood protection barriers; and
4. Strategies that can be used to aid in the detection of malevolent acts or natural hazards that threaten the security or resilience of the system.

\_\_\_\_\_  
*[Signature of certifying official - click to add a digital signature, or print and sign]*



**A REPORT BY  
THE 2019-2020 CONTRA COSTA COUNTY CIVIL GRAND JURY**  
725 Court Street  
Martinez, California 94553

Report 2003

# **Contra Costa BART Rider Concerns**

**Primary Findings from the 2018 Customer Satisfaction Survey**

APPROVED BY THE GRAND JURY

Date May 15, 2020

Anne N. Granlund  
ANNE N. GRANLUND  
GRAND JURY FOREPERSON

ACCEPTED FOR FILING

Date MAY 15 2020

Anita Santos  
ANITA SANTOS  
JUDGE OF THE SUPERIOR COURT

Contra Costa County Grand Jury Report 2003

**Contra Costa BART Rider Concerns**

Primary Findings from the 2018 Customer Satisfaction Survey

**TO: BART Board of Directors**

**SUMMARY**

The Bay Area Rapid Transit (BART) system is one of the Bay Area's most vital transportation links. Carrying roughly 450,000 travelers every day, it is the fifth most-used transit rail system in the United States, behind only New York, Washington, D.C., Chicago, and Boston. BART links four of the Bay Area's nine counties and the region's two largest airports.

The BART system represents a public investment currently valued at almost \$15 billion and is of vital importance to the local and regional economy. BART has planned expansion to San Jose, replacing all of its cars and acquiring a new control system.

The riders from Contra Costa County (the County) have specific issues with the BART service. BART's Customer Satisfaction Surveys reflect that many County riders feel safety and cleanliness have declined, and fare evasion has increased in the BART system. The Grand Jury investigated the reasons behind Contra Costa County rider dissatisfaction with three core issues - safety, cleanliness, and fare evasion.

Although BART has many current initiatives to improve these three core issues, the Grand Jury found that surveys indicate a downward trend, rather than improvement. The Grand Jury recommends that BART should consider developing plans to increase rider satisfaction in all three areas. The Grand Jury also recommends that BART consider continuing with its commitment to add 19 police officers per year over the next five years, creating a police presence on all County trains and at all stations.

To reduce fare evasion, BART should consider identifying funds to modify or replace fare gates and establish a timeline for implementation. BART has published a strategic plan that expires on June 30, 2020. BART should consider how the target of 85%

customer satisfaction stated in BART's strategic plan will be achieved. BART should also consider a survey process that includes non-riders to improve the accuracy and value of its Customer Satisfaction surveys.

## **METHODOLOGY**

In the course of its investigation, the Grand Jury:

- Interviewed BART management, staff, and employees
- Reviewed responses from BART staff to Requests for Information (RFIs)
- Reviewed reports, newspaper articles, documents posted on BART's website ([www.bart.gov](http://www.bart.gov)), and other Internet documents

## **CONFLICT OF INTEREST DISCLAIMER**

One or more jurors recused themselves from this investigation due to possible conflict of interest and did not participate in the investigation, preparation, or approval of this report.

## **BACKGROUND**

In 1957, the California Legislature created BART as a Special District. BART's Mission Statement is to: "Provide safe, reliable, clean, quality transit service for riders." It has operated as a public transit system in the San Francisco Bay Area since 1972. The rail system includes 48 stations across four counties – Alameda, Contra Costa, San Mateo, and San Francisco.

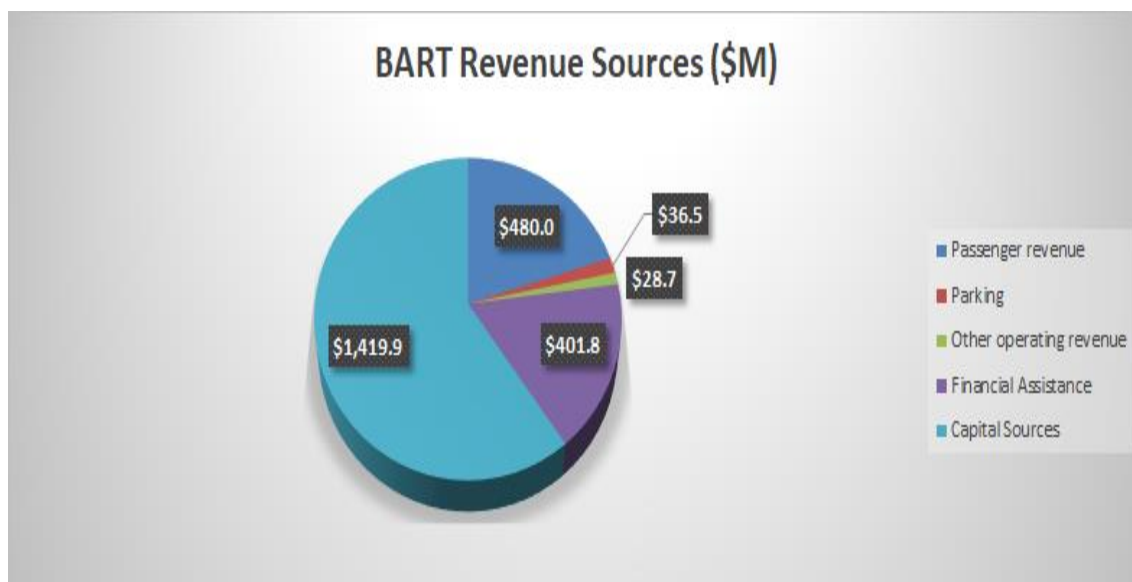
BART has expanded the system over the years, adding the following routes:

- 1997 – Daly City to Dublin/Pleasanton
- 2002 - Daly City to San Francisco International Airport and Millbrae
- 2014 – Coliseum to Oakland Airport (cable car system)
- 2018 – Bay Point to Antioch (eBART extension)
- 2020 – Warm Springs to Berryessa (under construction), in cooperation with the Valley Transit Authority

BART is divided into nine voting districts, each represented by a director. Contra Costa County has portions of four districts. The directors are elected officials who serve a four-year term on the Board of Directors (the Board). The Board appoints a General Manager who oversees the transit system's day-to-day operations. BART plans to begin service to Santa Clara County in late 2020. Santa Clara and San Mateo counties are not part of the BART Special District and do not have representation on the Board.

The transit system's \$2.3 billion annual budget (Figure 1) has the following components:

**Figure 1. BART Revenue Sources (2020)**



Source: SFBART District Adopted Budget FY2020, pg. 16

Capital Sources include all planned capital expenditures paid for with funds BART expects to receive in Fiscal Year 2020, as well as capital funds awarded in prior years. BART's capital budget is funded with federal, state, and regional monies, allocations from the operating budget, and regional transit bonds.

County residents have a large and continuing investment in BART. That investment includes fares and parking fees, parcel taxes, Measure RR bond repayments, and bridge toll money allocated to BART. Capital improvements are also funded with money provided through state and federal grants.

### **Contra Costa Revenue Contributions to BART**

According to BART, fares are a significant source of revenue – 60% to 70% of operating costs. In most transit systems in the United States, fares account for about 20% of revenue. Fare evasion costs BART at least \$25 million annually. This is an issue for a transit system like BART that counts on a large portion of its operating revenue from fares.

Contra Costa County riders are paying more each year in fares (Table 1) while overall fare revenue is falling. As overall fare collections decline, the percentage of total fares paid by County riders increases. It is important to note that the Contra Costa County fares shown are only those collected within the County. If the round-trip rides of all commuters were considered, the fare revenue of County riders doubles.

**Table 1. Fare Collections 2017 to 2019**

	FY 17 Total Fares	FY 18 Total Fares	FY 19 Total Fares
Contra Costa County (Millions)	\$73.3	\$73.4	\$74.4
Doubled based on round trip (Millions)	\$146.6	\$146.8	\$148.8
All Counties (Millions)	\$510.0	\$510.8	\$485.0
Contra Costa County (Percentage)	14.4%	14.4%	15.3%
Doubled based on round trip (Percentage)	28.8%	28.8%	30.6%

Source: Budget Pamphlet Fiscal Year 2019, March 2018;  
Budget Pamphlet Fiscal Year 2018, March 2017

## **BART Survey Instruments**

BART routinely surveys its riders to determine how satisfied the riders are with its service. These surveys take many forms:

- Station Profile
  - The Station Profile survey has been an important source of ridership data for BART over the years. BART uses the data as a management tool to plan for the future. (<https://www.bart.gov/about/reports/profile>)
- Customer Complaints
  - BART's Customer Service Department receives a quarterly breakdown of customer complaints. (<https://data.bart.gov/group/customers>)
- Customer Satisfaction
  - BART's Customer Satisfaction Study (CSS) is a tool BART uses to achieve higher levels of customer satisfaction. Every two years the study surveys BART riders to determine how well BART is meeting customer needs and expectations. These surveys are conducted by an independent research firm. (<https://data.bart.gov/group/customers>)
- Quarterly Performance Reports
  - These reports track performance indicators including service reliability, passenger environment, train cleanliness, customer complaints, and crime. (<https://www.bart.gov/about/reports>)
  - The ratings are compiled using rider responses to BART's Passenger Environment Survey questionnaires. The questionnaires are handed out

on trains by employee survey takers who work throughout BART operating hours, including evenings and weekends, to mirror ridership patterns. They collect between 5,000 and 6,000 questionnaires per quarter. (<https://www.bart.gov/news/articles/2019/news20190821-0>)

These surveys inform BART management on how to best maintain and improve the customer experience. The CSSs have shown a recent decrease in overall customer satisfaction. BART's CSS does not survey non-riders systematically. Non-riders are former riders and those who have never ridden BART.

The Grand Jury investigated the key areas of County riders' dissatisfaction with BART. The Alameda County Grand Jury previously investigated the 2018 CSS pertaining to three counties - Alameda, Contra Costa, and San Francisco. The current investigation focuses on Contra Costa County riders only, comparing the results from the 2016 and 2018 CSSs, and uses trend analysis to examine the top areas of increased dissatisfaction identified by County riders. The Grand Jury studied the following issues and BART's responses to the 2016 and 2018 CSSs:

- Trending of major concerns of County riders
- Concerns of County riders compared to riders from other counties within the BART system
- BART's actions to address the concerns of County riders
- BART's initiatives to improve the rider experience for County riders

## **DISCUSSION**

The 2012 biannual Customer Satisfaction Survey (CSS) rated BART's customer satisfaction (percent of customers who are very or somewhat satisfied) at 84%. Since then, satisfaction has decreased with each survey to a low of 54% in 2018. This report draws from the 2016 and 2018 CSSs and focuses on the level of satisfaction for County residents who ride and pay for BART.

### **Areas of Contra Costa County Dissatisfaction**

BART provided County-specific data from the 2016 and 2018 CSSs, using the zip codes in the responses. About 25% (1,300) of the total number surveyed in each year were Contra Costa riders. In the survey, riders rate more than 40 attributes (characteristics) of BART service. Examples of areas rated include cleanliness, parking, and police presence.

Each attribute is rated on the same scale, where 1=Poor, 4=Neutral, and 7=Excellent. Questions have varied somewhat from survey to survey. The Grand Jury examined the data for Contra Costa riders only and identified trends of concern. Some attributes in the surveys were combined into the general areas of safety and cleanliness.

Three areas stand out:

- Safety: Crime and personal security
- Cleanliness: Throughout the system, from stations to inside trains
- Fare Evasion: Lost revenue and illegal

Table 2 displays the satisfaction trends for County riders in the three main areas of concern cited above. Included are specific attributes that had low satisfaction scores in 2016 and lower scores in 2018.

**Table 2. Comparing 2016 to 2018 for Contra Costa County**

Area of Concern	2016	2018	Unfavorable Trend
Personal Security	3.77	3.22	-0.55
Train Interior Cleanliness	3.87	3.34	-0.52
Fare Evasion	3.27	2.83	-0.44
Police in Stations	3.50	3.09	-0.41
Station Cleanliness	3.70	3.30	-0.40

2 = Very dissatisfied    3 = Somewhat dissatisfied    4 = Neutral

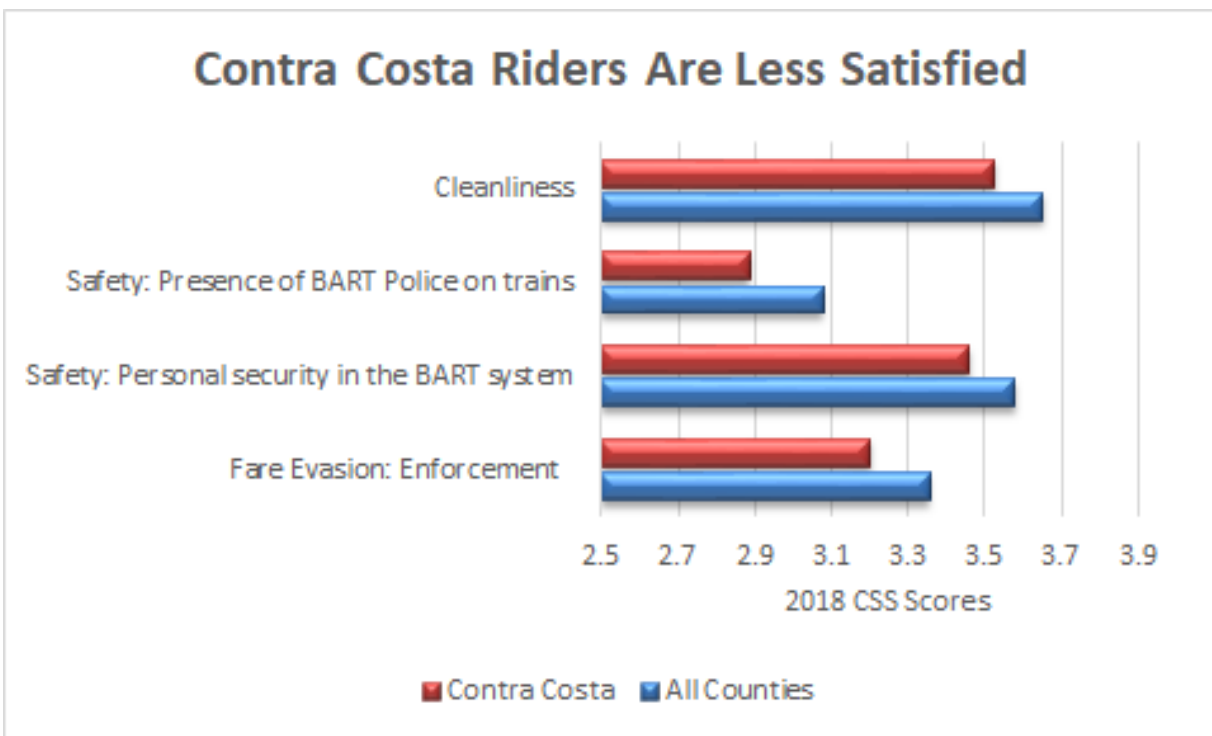
Source: BART Customer Satisfaction Survey (<https://data.bart.gov/group/customers>)

Safety, cleanliness, and fare evasion are the primary issues of Contra Costa County riders and scores for those attributes declined between 2016 and 2018.

## Contra Costa Responses Compared to Other Counties

The survey results from the 2018 CSS for all respondents were compared to the responses from County riders (Figure 2). Note that Contra Costa County riders are included in the All Counties responses. Figure 2 indicates that County riders consistently rate BART lower than all riders.

**Figure 2. Main Satisfaction Issues for Contra Costa County Riders**



2 = Very dissatisfied    3 = Somewhat dissatisfied    4 = Neutral

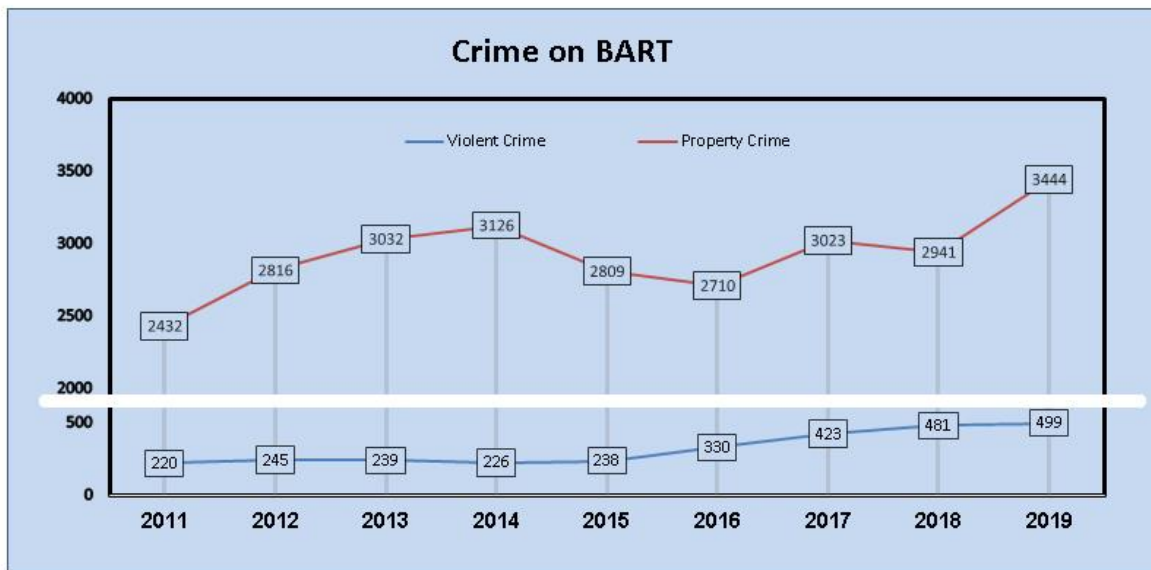
Source: BART Customer Satisfaction Survey (<https://data.bart.gov/group/customers>)

## Safety

Survey attributes of safety include BART police on trains, police inside and outside of stations, and personal security. For all of these attributes, the CSSs reveal that Contra Costa County riders are more dissatisfied than riders system-wide (Figure 2) and that satisfaction is trending down (Table 2).

Crime levels are a key element when assessing BART safety. Both violent and property crimes are increasing in recent years (Figure 3). The Grand Jury's investigation indicates that a few high-profile incidents have led to the widespread perception that BART is not safe. As a result, some riders are avoiding BART, especially on nights and weekends when crimes are more likely to occur. From 2015 to 2018, BART ridership declined by up to 17% on weekends. (<https://escholarship.org/uc/item/3v14m47j> , p.28).

**Figure 3. Reported Crimes on BART**



Source: (<https://escholarship.org/uc/item/3v14m47j>, p.28).

Reported property crimes (burglary, larceny, auto theft, and arson) have risen between 2011 and 2019, and violent crime (homicide, rape, robbery, and aggravated assault) also rose. BART crimes rose to 3.5 per million riders in Fiscal Year 2018, more than double the rate since 2011. BART has a target of fewer than 2.0 crimes per million riders.

Over the past two years, Priority One (emergency) response time by BART police has averaged under its goal of five minutes. The Grand Jury investigation did not reveal a goal for non-emergency response times, which average about 20 minutes.

### **BART's Actions to Improve Safety**

BART contracted with the Department of Criminal Justice at the University of North Texas to prepare its *Five-Year Strategic Patrol Staffing Plan* study in August 2018. The study recommended hiring 94 Police Officers and putting 66 of them on trains. BART has a plan to hire 19 police officers each year for the next five years. Eleven of the first 19 officers hired are to be on trains. Budget approval has been granted for only the first two years. BART has increased compensation for officers and BART hired 24 additional police in 2019, which is more than in any previous year.

If the plan is fully implemented, BART police presence and visibility will increase. BART anticipates this will help deter crime, improve response times, and provide a greater sense of security to riders. In addition, police can assist with issues of cleanliness and fare evasion. Additional unsworn uniformed personnel, including Community Service

Officers and Ambassadors, are being hired to assist the police. The Ambassadors receive de-escalation and anti-bias training and started to ride trains on evenings and weekends in February 2020. The goal is to improve the rider experience and respond to issues they encounter.

Cameras are at some stations and trains and may deter crime. BART is installing them system-wide in phases. BART personnel assert that videotaping may provide evidence for the prosecution of serious crimes. Visible camera feeds in the stations may deter crime from occurring and reduce police response time.

## **Cleanliness**

Survey attributes of cleanliness include outside and inside the stations, restroom and elevator cleanliness, enforcement of the no eating and drinking policy, and the condition and cleanliness of train seats, floors, and windows. All Contra Costa County scores for cleanliness attributes were lower in 2018 than in 2016 (Table 2). County scores were lower than system-wide scores for all cleanliness attributes in 2018 (Figure 2).

## **BART's Actions to Improve Cleanliness**

BART is actively addressing the cleanliness issue. It has budgeted for or hired 21 additional janitorial staff. In 2018, cleaning teams were trained by the Cleaning Management Institute (a BART contractor), received their certification, and were strategically deployed. The addition of elevator attendants in downtown San Francisco has improved cleanliness. It is expected that the transition to new trains will help with cleanliness as there are fewer seats and the seats are designed to be easier to clean.

Other measures that BART is taking which may impact cleanliness are more police, the Ambassador program, and addressing homelessness. BART's expectation is that new trains and a new operating system may improve train cleanliness by reducing congestion during rush hour periods. Recent limited BART surveys indicate some improvement in satisfaction with cleanliness, but that improvement will need to be verified in the next CSS. BART Police enforce state laws against eating and discarding trash within the system.

## **Fare Evasion**

Table 2 and Figure 2 reveal how County riders who participated in the CSS feel about fare evasion on BART. County rider satisfaction scores regarding fare evasion declined between 2016 and 2018 and were lower than for all riders in 2018.

BART relies on fare revenue for its operating budget at a higher rate than other transit agencies. County riders are paying more each year due to fare increases, while overall fare revenue is falling. Fare evasion costs BART at least \$25 million annually. BART collects less than 2% of the fines that fare inspectors issue for fare evasion.

## **BART's Actions on Fare Evasion**

BART has considered several options to address fare evasion. It is hiring more fare inspectors and has tested new designs for fare gates, part of BART's station hardening program. Station hardening is changing infrastructure other than the fare gates to prevent fare evasion. This includes installing higher barriers.

BART estimates that it will cost about \$150 million to fully address fare evasion and the money is not yet available. Fare evasion may be reduced by deploying more police, Ambassadors, and cameras in stations.

## **Other Issues**

### **Homelessness on BART**

Another issue for County riders is the impact of homelessness on the BART system. This was first measured in the 2018 Customer Satisfaction Survey, so trending data is not available. The Grand Jury found that there is a perception that the homeless contribute to problems of cleanliness and safety. The attribute, Addressing Homelessness, received a score of 2.57 in the 2018 CSS, the lowest satisfaction score of all the attributes by County riders. A recent UCLA study states: "Notably, many of BART's key issues are tied to factors outside of the agency's control, specifically the homelessness and drug/opioid addiction crises, which likely affect passengers' perceptions of personal security and system cleanliness." (<https://escholarship.org/uc/item/3v14m47j>, p.80)

BART is engaged in dealing with the effects of homelessness, from outside and inside the stations, on platforms, and inside the trains. Concerns about homeless riders are often cited when assessing the rider's experience.

BART has an employee who coordinates with each county's Homeless Program. BART staff check for any individuals who remain on the train at the end of the line on each run. At the end of BART's operating hours, the individuals who remain are removed from that station and taken to a shelter or a hospital. More police and Ambassadors can assist by directing these people to other places for shelter or food. In July 2019, the BART Board approved a contract with Contra Costa Health Services for one dedicated Homeless Outreach Team in Contra Costa County. Outreach workers try to connect homeless on or near BART with needed social services.

### **Station Agents on eBART**

There are no station agents for the two eBART stations in Antioch or Pittsburg Center. They are the only BART stations without station agents. In addition to being a resource for customers, agents can monitor and report safety, cleanliness, and fare evasion issues.

## Overall Strategic Plan

BART has identified safety, cleanliness, fare evasion, and the impact of homelessness as Quality of Life issues, corresponding to the most significant concerns of the Contra Costa County riding public. BART has begun to implement several programs to address these issues, such as cleanliness teams, new fare gates, new train cars, homeless outreach, and station hardening.

BART's current Strategic Plan (2015-2020) sets a long-term goal to return to 85% customer satisfaction (<https://www.bart.gov/kpi/experience>). BART has not issued an updated plan to achieve this goal.

## FINDINGS

- F1. Customer Satisfaction Surveys reveal that Contra Costa County riders are increasingly dissatisfied with safety, cleanliness, and fare evasion on the BART system.
- F2. BART is actively addressing safety and cleanliness.
- F3. BART has no published strategic plan beyond 2020.
- F4. Fare inspectors alone are not effective in deterring fare evasion.
- F5. BART has not allocated the funds to complete the fare gate modification program.
- F6. County riders want more police officers throughout the system – inside and outside the stations, and on trains.
- F7. Contra Costa County's revenue contribution to BART is increasing while overall fare collections are decreasing.
- F8. There is no evidence that BART has attempted to systematically survey non-riders.

## RECOMMENDATIONS

Note: The Grand Jury conducted the majority of its investigation before Contra Costa County and the State of California issued shelter-in-place orders. The Jury recognizes that County departments, agencies, and cities are currently addressing COVID-19 related matters and the Jury has adjusted implementation dates in the recommendations accordingly.

- R1. The BART Board of Directors should consider publishing an updated strategic plan to address improvements to safety, cleanliness, and fare evasion over the term of the plan by December 31, 2020.
- R2. The BART Board of Directors should consider continuing to modify or replace fare gates and establish a timeline and funding for implementation by December 31, 2020.
- R3. The BART Board of Directors should consider reconfirming its plan to add 19 police officers per year over the next five years, with 66 of them on the trains, by December 31, 2020.
- R4. The BART Board of Directors should consider constructing station booths and staffing the booths with agents at the Pittsburg Center and Antioch eBART stations by December 31, 2021.
- R5. The BART Board of Directors should consider developing a plan to systematically survey non-riders by county by December 31, 2021, and implement that plan along with the 2022 Customer Satisfaction Survey.

## REQUIRED RESPONSES

	<b>Findings</b>	<b>Recommendations</b>
BART Board of Directors	F1, F2, F3, F4, F5, F6, F7, F8	R1, R2, R3, R4, R5

These responses must be provided in the format and by the date set forth in the cover letter that accompanies this report. An electronic copy of these responses in the form of a Word document should be sent by e-mail to [ctadmin@contracosta.courts.ca.gov](mailto:ctadmin@contracosta.courts.ca.gov) and a hard (paper) copy should be sent to:

Civil Grand Jury – Foreperson  
 725 Court Street  
 P.O. Box 431  
 Martinez, CA 94553-0091



**A REPORT BY  
THE 2019-2020 CONTRA COSTA COUNTY CIVIL GRAND JURY**

725 Court Street  
Martinez, California 94553

**Report 2004**

# **Police Department Staffing**

**Impact on Community Policing Services and Personnel**

APPROVED BY THE GRAND JURY

Date May 15, 2020

Anne N. Granlund  
ANNE N. GRANLUND

GRAND JURY FOREPERSON

ACCEPTED FOR FILING  
Date MAY 15 2020

Anita Santos  
ANITA SANTOS  
JUDGE OF THE SUPERIOR COURT

Contact Anne Granlund  
Foreperson  
(925) 608-2621

Contra Costa County Civil Grand Jury Report 2004

**Police Department Staffing**

**Impact on Community Policing Services and Personnel**

**TO: Contra Costa County Board of Supervisors  
Contra Costa County Office of the Sheriff  
City/Town Councils of: Antioch, Brentwood, Clayton, Concord,  
Danville, El Cerrito, Hercules, Lafayette, Martinez, Moraga,  
Oakley, Orinda, Pinole, Pittsburg, Pleasant Hill, Richmond,  
San Pablo, San Ramon, Walnut Creek**

**SUMMARY**

Local government provides police services for the safety and protection of all residents. Community law enforcement in Contra Costa County (the County) is performed by the police department in each city and by the Contra Costa County Office of the Sheriff (the Sheriff) in unincorporated areas of the County. The Grand Jury investigated factors affecting police staffing in the County and the resulting impact on police services and personnel.

The Grand Jury compared staffing levels of sworn officers in each department to County and California state averages. The Grand Jury found that relatively low authorized sworn officer levels and ongoing unfilled officer positions contribute to mandatory officer overtime, reduced level of police services such as traffic enforcement and school resource officers, and longer response times.

The Grand Jury also investigated the challenges of recruiting, hiring, and retaining officers. Fewer applicants than in the past are applying to law enforcement due to different career expectations, the availability of less dangerous jobs, and negative perceptions of policing. Police agencies in the County compete for applicants and each agency conducts its own recruiting program. The process of hiring and training new officers is costly, time-consuming, and replicated by police departments in the County. A few cities with smaller police departments contract with the Sheriff for police services and do not need to manage the hiring and training process. These contract cities are often able to fill open positions faster than non-contract cities.

The Grand Jury recommends cities and towns in the County consider identifying funds to increase the number of authorized sworn officers to fill currently understaffed units. Cities and towns should also consider identifying funds that would allow their police departments to over-hire officer positions as a strategy for keeping departments fully staffed. Cities and towns should consider identifying funds to study the feasibility of a countywide screening process for police officer positions. Cities, towns, and the Sheriff should consider directing their police departments to apply for the Department of Justice Community Oriented Policing Services (COPS) grants to help fund additional officer positions. The Grand Jury also recommends the County consider identifying funds to develop a countywide outreach program to attract more applicants to police agencies in Contra Costa County.

## **METHODOLOGY**

The Grand Jury used the following investigative methods:

- Interviewed city and County law enforcement personnel
- Reviewed staffing data from city and County law enforcement agencies
- Reviewed police staffing levels outside of Contra Costa County
- Reviewed response times from representative city and County law enforcement agencies
- Examined police officer hiring, recruiting, and retention for representative city and County law enforcement agencies

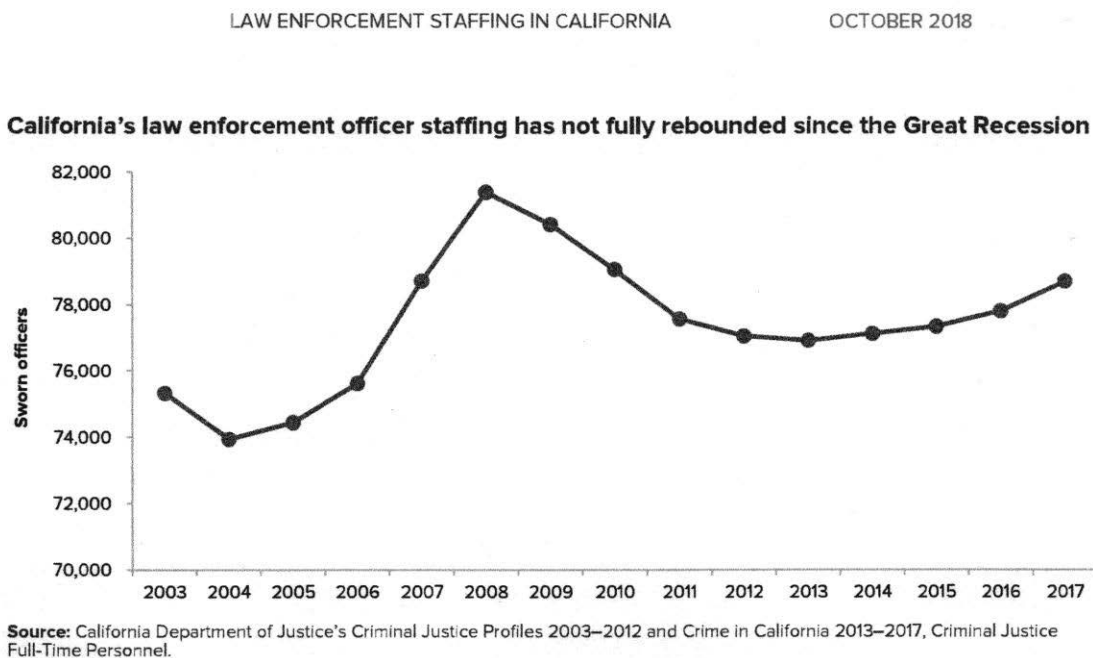
## **CONFLICT OF INTEREST DISCLAIMER**

One or more jurors recused themselves from this investigation due to possible conflict of interest and did not participate in the investigation, preparation, or approval of this report.

## BACKGROUND

Police staffing has been a well-documented challenge for communities across the United States over the past decade. In the years following the start of the Great Recession of 2008, cities and counties laid off or retired law enforcement personnel. Figure 1 shows the effect of the recession on California law enforcement staffing.

**Figure 1. California Law Enforcement Staffing**



As the economy improved, cities and counties resumed hiring law enforcement personnel; however, many city and county police agencies have not returned to their pre-recession staffing levels. Police staffing continues to be reported as an issue in the Bay Area.

This investigation examined issues affecting police staffing in Contra Costa County, including hiring, recruiting, and retention, and the resulting impact on community policing services and law enforcement personnel.

## DISCUSSION

Contra Costa County residents rely on the police to ensure public safety, solve crime, and enforce the law. Police staffing in Contra Costa County affects community police services and the ability of police agencies to fulfill this mission. In analyzing staffing levels, the Grand Jury considered:

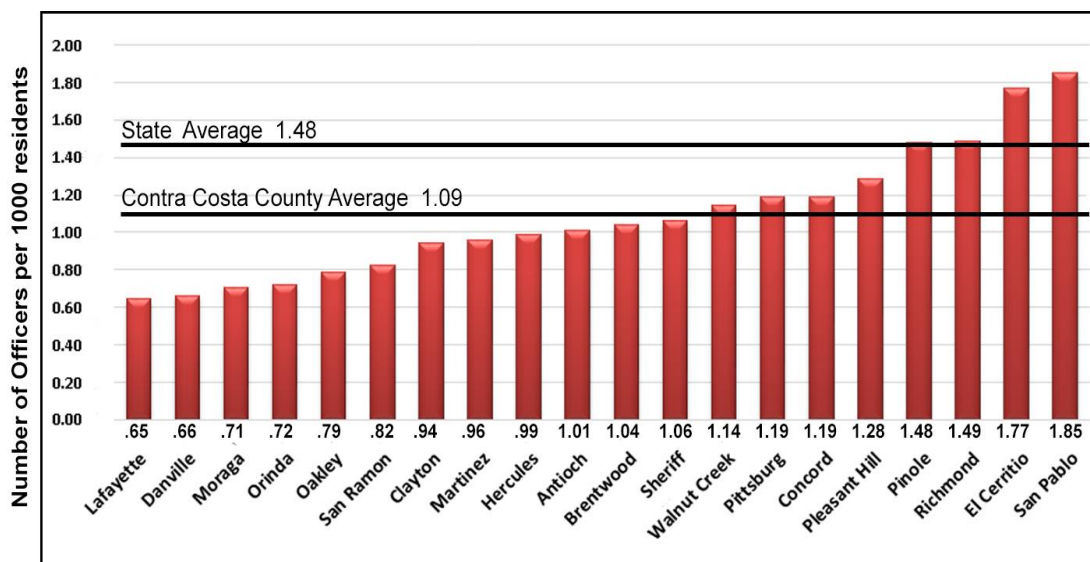
- The ratio of authorized sworn officers per 1,000 residents for every city police department in Contra Costa County
- Current number of unfilled sworn officer positions
- Time required to fill these vacancies
- Challenges in hiring and retention of qualified applicants

## Staffing

One method of assessing staffing levels is to compare staffing ratios, defined as the number of officers per 1,000 residents. Staffing ratios are useful in identifying cities that may be understaffed on a per capita basis. The ratios of authorized sworn officers per 1,000 residents for police agencies in Contra Costa County range from 0.65 to 1.85, with a County average (mean) of 1.09, as shown in Figure 2. The staffing ratio for the Sheriff reflects only patrol deputies serving the population in the unincorporated part of the County and omits those working in County jails. The Grand Jury compared these ratios to the estimated California state average ratio. According to one estimate from 2018, California had approximately 67,200 patrol officers in 2017; this number excludes officers working in county jails. About 87% of these officers were municipal police officers or county sheriff patrol officers. Using a 2017 estimated state population of 39.4 million, the average California staffing ratio was roughly 1.48 patrol officers per 1,000 residents. As shown in Figure 2, 15 cities and the Sheriff's Office are below the state average, one city is at the average, and 3 cities are above the average.

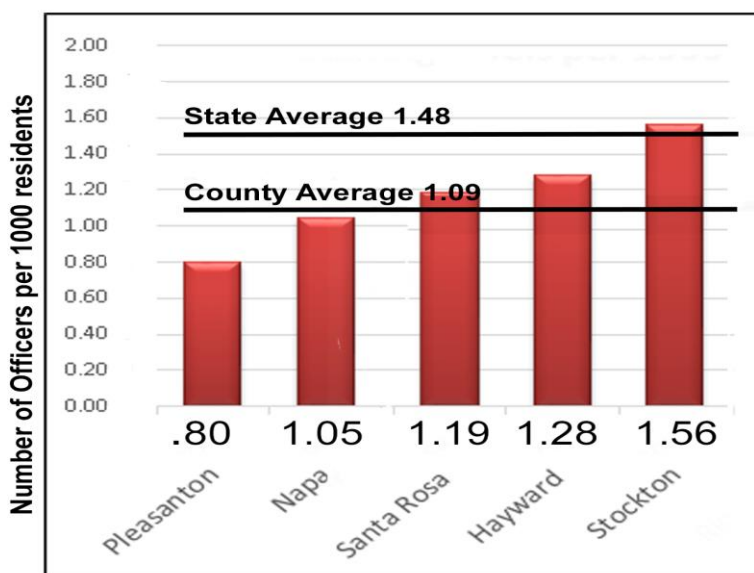
**Figure 2. Authorized Police Staffing Ratios**

**(based on 2019 – 2020 data)**



For comparison, Figure 3 shows the authorized staffing ratios of other cities in Northern California.

**Figure 3. Authorized Staffing Ratios for Surrounding Cities**  
(based on FY 2019 – 2020 city budget data)



State and county staffing ratios are guidelines, but local factors, such as the number of service calls, crime level, and available budget, often determine staffing needs. Each city council approves an annual budget that funds, or authorizes, a certain number of officers. This funding includes wages, benefits, and other expenses. A police chief or the Sheriff must justify requests for additional positions to their governing authorities.

During the Great Recession of 2008, Contra Costa police departments reduced staffing, and some have not regained these positions as of 2019. State and Federal grants are available to supplement department funding. For example, local law enforcement agencies can apply to the U.S. Department of Justice Community Oriented Policing Services (COPS) Hiring Program, which offers funding for hiring additional officers.

## Response Times

Police staffing levels can be assessed by examining response times - the time it takes an officer to respond when called. Response time is calculated from the first ring at the dispatch center to the time of the officer's arrival on the scene. This includes the time to answer the call, obtain necessary information, assess the priority of the call, dispatch the officer, and travel to the scene. For the selected representative cities surveyed, average response times varied from 4 minutes 25 seconds to 8 minutes 32 seconds for Priority 1 (emergency) calls. For these calls, a common goal for city police departments is a response time of 5 minutes or less. The response times for property crimes and

other nonviolent crimes can be longer, sometimes hours, depending on the number of available officers and the number of Priority 1 calls. Lower staffing levels are contributing to longer response times for Priority 1 calls for some police agencies. Response times also depend on the officer's location and distance from the scene when dispatched.

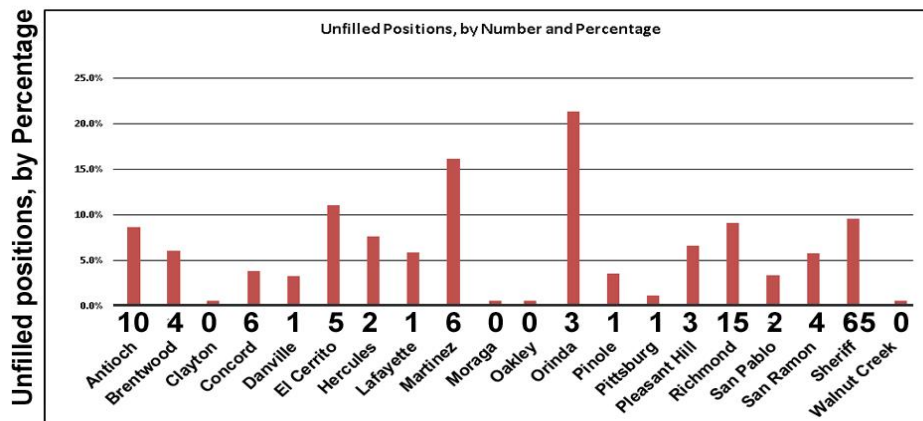
## Unfilled Positions

Every police department except Clayton, Moraga, Oakley, and Walnut Creek had unfilled positions when surveyed. These vacancies are primarily a result of retirements, officers on leave, lateral transfers out of the department, and resignations. When authorized positions are not filled, departments reduce services and/or require officers to work overtime. Departments prioritize staffing for emergency response over less critical functions. The Grand Jury found that understaffed police agencies in the County have reduced or eliminated services in the following areas:

- School resource officers
- Traffic enforcement
- Resources allocated to property and nonviolent crimes
- Community outreach activities

Officers realize that overtime is sometimes a necessary part of the job. Some overtime is voluntary, which provides officers with an opportunity to earn extra pay, and some overtime is mandatory. Ongoing mandatory overtime can be a cause of stress for officers. Some police departments in the County have the approval to hire more positions than authorized as a strategy for addressing anticipated vacancies. This practice allows police departments to maintain authorized staffing levels and reduce mandatory overtime. Figure 4 shows both the number and percentage of unfilled authorized positions for police agencies in Contra Costa County.

**Figure 4. Unfilled Sworn Officer Positions, by Number and Percentage  
(based on 2019 – 2020 data)**



## Recruiting

Officer recruiting is an ongoing effort for police departments as there are not enough qualified applicants to replace retiring officers. Police departments face several challenges in recruiting applicants. Police incidents shared on social media have led to negative perceptions of policing. In recent times, the strength of the Bay Area economy and low unemployment rate offered less dangerous job opportunities at salaries competitive with law enforcement careers. Also, work/life balance is more important to applicants today than in the past and can be difficult to achieve with the long shifts and irregular hours often involved in police work.

Police departments use the following strategies for recruiting:

- Attending career fairs at high schools and junior colleges
- Posting on websites and social media
- Participating in community events
- Referrals from current staff

Police departments are recruiting from the same pool of applicants across the County and the greater Bay Area. Candidates apply to multiple agencies and often have individual preferences such as the size of the department, type of work schedule available, level of police action in the jurisdiction, and commute distance, which is often a disadvantage for police departments in areas with high housing costs.

## Hiring Procedures

Most departments accept applications on an ongoing basis and begin the hiring process when they have an opening, although some agencies have specific application deadlines. The basic qualifications for hiring a sworn police officer or deputy sheriff include: a high school diploma (some college preferred), a California driver's license, United States citizenship or permanent residence, 21 years of age by the end of police academy training, no felony convictions, and successful completion of a Commission on Peace Officer Standards and Training (POST) authorized police academy.

After application, the screening process includes:

- Written exam
- Physical agility test
- Oral interview
- Completion of a POST personal history statement
- Polygraph
- Background investigation

- Conditional job offer
- Medical examination
- Psychological examination

After completing these steps, the applicant will enroll in a police academy and upon successful completion become a probationary police officer. The hiring standards are rigorous and up to 100 applicants may be screened to fill one vacant position. Despite this challenge, departments would rather have a shortage of officers than lower their hiring standards. The hiring process takes six to twelve months from application through completion of the academy. The long lead time for hiring contributes to the challenge of filling open officer positions. In addition, the process of recruiting, hiring, and training an officer incurs many costs, including application screening, interviews, background check, academy cost, salary during training, and equipment. The process is costly, extensive, and time-consuming for each department.

Danville, Lafayette, and Orinda contract with the Contra Costa County Office of the Sheriff for their police services. In these cities, the Sheriff's deputies serve as police officers according to the County's contract with each city. These cities rely on the resources of the Sheriff for their specialized needs such as Investigations, Special Weapons and Tactics, Canine Unit, Human Resources, and administrative overhead. They also rely on the Sheriff for recruiting, evaluation, and training.

When an opening for a police officer position becomes available, the city police chief notifies the Sheriff and the opening is posted. The Sheriff's Human Resources department handles the request, and the opening is filled within a few months with a fully qualified and trained officer. This process is one of the advantages of contracting with the Sheriff for police services. All the application and evaluation steps are handled by the Sheriff and not directly by the contracting city. Another advantage is that the Sheriff will replace an officer if a deputy is unable to work for an extended period due to disability, injury, medical leave, or family leave. The disadvantages for cities contracting with the Sheriff include some loss of local control over the management of their police department and officers' lack of continuity with the city due to the rotation of deputies. Contracting with the Sheriff may not be economically beneficial for larger police departments since economies of scale allow larger departments to spread the costs of administration and overhead.

## **Retention**

There are two main challenges to retaining qualified officers. The first is losing officers to other police departments. Reasons officers leave a department include:

- Working closer to home
- Variety of assignments offered at a larger department

- Promotion opportunities at another department
- Amount of crime and policing activity in the jurisdiction
- Higher pay and/or better benefits at another department
- Signing bonus offered by another department
- Mandatory overtime and job stress
- Dissatisfaction with management or other organizational issues

The second challenge for retention is officer wellness, including physical, emotional, and financial health. Unhappy and stressed officers take extended time off, perform poorly on the job, and leave the job either voluntarily or involuntarily. In the past, officers were expected to hide their emotions and often buried their stress. Departments have responded with Employee Assistance Programs (EAPs), including confidential counseling with outside vendors, peer support, and programs to promote family wellness and healthy living. Typical EAPs provide emotional, mental, and physical health support services to employees and their families, and may include substance abuse treatment, relationship counseling, and financial advice. Officers are using these services and departments consider them a positive contribution to retaining qualified officers.

## **FINDINGS**

- F1. Low officer staffing ratios and/or unfilled officer positions present challenges in maintaining police services.
- F2. Low officer staffing ratios and/or unfilled officer positions have resulted in reducing or eliminating staffing of traffic units, school resource officers, community outreach, or other police services.
- F3. Due to low officer staffing ratios and/or unfilled officer positions, officers are often required to put in mandatory overtime to cover critical services.
- F4. Mandatory overtime can lead to officer stress, which creates retention challenges.
- F5. Low officer staffing ratios and/or unfilled officer positions may contribute to increased average response times for Priority 1 (emergency) calls.
- F6. Recruiting officers is challenging due to fewer applicants who meet the required hiring standards and complete the rigorous testing process.
- F7. Negative perceptions of policing and the availability of less dangerous job opportunities contribute to fewer applicants for law enforcement positions.
- F8. Each Contra Costa police agency (except those that contract with the Sheriff's Office) conducts its own recruiting program to attract potential applicants.
- F9. The process of hiring and training new officers takes an extensive amount of time and resources to complete.

- F10. Each Contra Costa police agency (except those that contract with the Sheriff's Office) manages its own screening process for police officer positions, resulting in a replication of efforts across the County.
- F11. Contra Costa cities that contract with the Sheriff for police services are generally able to fill vacancies faster than non-contract cities.
- F12. Recruits and young officers have different expectations than in the past regarding work/life balance.
- F13. Recruits and young officers' expectations about work/life balance contribute to the challenges of officer recruiting and retention.
- F14. Wellness and Employee Assistance Programs offered by Contra Costa police agencies aid retention of police officers.

## **RECOMMENDATIONS**

Note: The Grand Jury conducted the majority of its investigation before Contra Costa County and the State of California issued shelter-in-place orders. The Jury recognizes that County departments, agencies, and cities are currently addressing COVID-19 related matters and the Jury has adjusted implementation dates in the recommendations accordingly.

- R1. The Board of Supervisors should consider identifying funds to develop a countywide outreach program to attract more applicants to police agencies in Contra Costa County, by June 30, 2021.
- R2. The City/Town Councils of Antioch, Brentwood, Clayton, Concord, El Cerrito, Hercules, Martinez, Moraga, Oakley, Pinole, Pittsburg, Pleasant Hill, Richmond, San Pablo, San Ramon, and Walnut Creek should consider identifying funds to study the cost/benefit of a countywide screening process for police officer positions, to avoid replication of these steps while allowing each city police department to select and evaluate candidates, by June 30, 2021.
- R3. The Sheriff, and the City/Town Councils of Antioch, Brentwood, Clayton, Concord, Danville, El Cerrito, Hercules, Lafayette, Martinez, Moraga, Oakley, Orinda, Pinole, Pittsburg, Pleasant Hill, Richmond, San Pablo, San Ramon, and Walnut Creek should consider directing their police departments to apply annually, or when offered in 2021, to the Department of Justice COPS Hiring Program, which provides funding for hiring additional officers, by June 30, 2021.

- R4. The City/Town Councils of Antioch, Brentwood, Clayton, Concord, Danville, El Cerrito, Hercules, Lafayette, Martinez, Moraga, Oakley, Orinda, Pinole, Pittsburg, Pleasant Hill, Richmond, San Pablo, San Ramon, and Walnut Creek should consider identifying funds to increase the number of authorized sworn officers to fill understaffed units, such as traffic patrol and school resource officers, by June 30, 2021.
- R5. The City/Town Councils of Antioch, Brentwood, Clayton, Concord, Danville, El Cerrito, Hercules, Lafayette, Martinez, Moraga, Oakley, Orinda, Pinole, Pittsburg, Pleasant Hill, Richmond, San Pablo, San Ramon, and Walnut Creek should consider identifying funds that would permit their police departments to over-hire officer positions as a strategy for keeping departments fully staffed, by June 30, 2021.

## REQUIRED RESPONSES

	<b>Findings</b>	<b>Recommendations</b>
Contra Costa County Board of Supervisors	F6,F7,F8	R1
Contra Costa County Sheriff	F1,F2,F3,F4,F5,F6 F7,F8,F9,F10,F11, F12,F13,F14	R3
City of Antioch	F1,F2,F3,F4,F5,F6 F7,F8,F9,F10,F12, F13,F14	R2,R3,R4,R5
City of Brentwood	F1,F2,F3,F4,F5,F6 F7,F8,F9,F10,F12, F13,F14	R2,R3,R4,R5
City of Clayton	F1,F2,F3,F4,F5,F6 F7,F8,F9,F10,F12, F13,F14	R2,R3,R4,R5
City of Concord	F1,F2,F3,F4,F5,F6 F7,F8,F9,F10,F12, F13,F14	R2,R3,R4,R5
Town of Danville	F1,F2,F3,F4,F5,F6 F7,F9,F11,F12, F13, F14	R3,R4,R5
City of El Cerrito	F1,F2,F3,F4,F5,F6 F7,F8,F9,F10,F12, F13,F14	R2,R3,R4,R5
City of Hercules	F1,F2,F3,F4,F5,F6 F7,F8,F9,F10,F12, F13,F14	R2,R3,R4,R5
City of Lafayette	F1,F2,F3,F4,F5,F6 F7,F9,F11,F12, F13, F14	R3,R4,R5
City of Martinez	F1,F2,F3,F4,F5,F6 F7,F8,F9,F10,F12, F13,F14	R2,R3,R4,R5
Town of Moraga	F1,F2,F3,F4,F5,F6 F7,F8,F9,F10,F12, F13,F14	R2,R3,R4,R5
City of Oakley	F1,F2,F3,F4,F5,F6 F7,F8,F9,F10,F12, F13,F14	R2,R3,R4,R5

City of Orinda	F1,F2,F3,F4,F5,F6 F7,F9,F11,F12, F13, F14	R3,R4,R5
City of Pinole	F1,F2,F3,F4,F5,F6 F7,F8,F9,F10,F12, F13,F14	R2,R3,R4,R5
City of Pittsburg	F1,F2,F3,F4,F5,F6 F7,F8,F9,F10,F12, F13,F14	R2,R3,R4,R5
City of Pleasant Hill	F1,F2,F3,F4,F5,F6 F7,F8,F9,F10,F12, F13,F14	R2,R3,R4,R5
City of Richmond	F1,F2,F3,F4,F5,F6 F7,F8,F9,F10,F12, F13,F14	R2,R3,R4,R5
City of San Pablo	F1,F2,F3,F4,F5,F6 F7,F8,F9,F10,F12, F13,F14	R2,R3,R4,R5
City of San Ramon	F1,F2,F3,F4,F5,F6 F7,F8,F9,F10,F12, F13,F14	R2,R3,R4,R5
City of Walnut Creek	F1,F2,F3,F4,F5,F6 F7,F8,F9,F10,F12, F13,F14	R2,R3,R4,R5

These responses must be provided in the format and by the date set forth in the cover letter that accompanies this report. An electronic copy of these responses in the form of a Word document should be sent by e-mail to [ctadmin@contracosta.courts.ca.gov](mailto:ctadmin@contracosta.courts.ca.gov) and a hard (paper) copy should be sent to:

Civil Grand Jury – Foreperson  
725 Court Street  
P.O. Box 431  
Martinez, CA 94553-0091



**A REPORT BY  
THE 2019-2020 CONTRA COSTA COUNTY CIVIL GRAND JURY**

725 Court Street  
Martinez, California 94553

Report 2005

**Public Safety Power Shutoff**

Is Contra Costa County Prepared?

APPROVED BY THE GRAND JURY

Date May 21, 2020

Anne N. Granlund  
ANNE N. GRANLUND  
GRAND JURY FOREPERSON

ACCEPTED FOR FILING

Date MAY 21 2020

Anita Santos  
ANITA SANTOS  
JUDGE OF THE SUPERIOR COURT

Contra Costa County Grand Jury Report 2005

**Public Safety Power Shutoff**

Is Contra Costa County Prepared?

**TO: Contra Costa County Board of Supervisors  
Contra Costa County Office of the Sheriff**

**SUMMARY**

In 2018, Pacific Gas and Electric (PG&E) instituted a Public Safety Power Shutoff (PSPS) program whereby power is proactively shut off under certain circumstances in areas of elevated or extreme wildfire threat. Contra Costa County (the County) has regions designated by the California Public Utilities Commission (CPUC) as having an elevated or extreme fire threat that may be impacted by a PSPS event. As the Grand Jury's investigation progressed, two PG&E-initiated PSPS events occurred. The County response to those events is also discussed in this report.

The Grand Jury found that the degree of planning across County departments showed considerable variation. There was no coordinated approach or template to provide the departments with a basis for PSPS planning. Of those County departments providing information to the Grand Jury, four had PSPS plans in draft form. Some had consulted with PG&E during the preparation of those drafts. Other departments initially planned to operate during a PSPS event using their existing Emergency Operations Plans. Those plans are similar to earthquake response plans except that a PSPS event has some warning and may last for a longer period.

During the October 9, 2019, PSPS event, Contra Costa Health Services (CCHS) did not have PG&E's complete information on residents who would be medically at-risk during a loss of power. Medically at-risk residents rely on electricity for conditions requiring oxygen, ventilation assistance, refrigeration of medications, or a Continuous Positive Airway Pressure (CPAP) device. According to interviews and responses to Requests for Information, the lack of communication delayed notifications to the affected residents. The loss of cellular phone and internet/cable services during the power outages negatively impacted the County's ability to contact at-risk residents and compromised communication to fire evacuees and first responders.

Staffing depth in some departments was not adequate given the length of the PSPS events. In some cases, the pre-positioning of emergency power generation capacity was not sufficient to provide backup for essential facilities. As of the completion of this investigation, the County's After-Action Report (critique of operations) for the two events had not been made available to the Grand Jury nor had the full fiscal impact on the County been reported.

The Grand Jury recommends that the County consider developing a comprehensive plan of County departments' interaction and resources needed to address future PSPS events. The Jury recommends that the County work with PG&E to improve communication during a PSPS outage (in particular, the identification of residents medically at-risk) and to establish alternative means of communicating to residents who have lost telephone and internet service.

If the County creates After-Action Reports for a PSPS event, the Grand Jury recommends that the County consider completing final After-Action Reports in an expeditious manner.

## **METHODOLOGY**

The Grand Jury used the following investigative methods:

- Reviewed County department draft PSPS plans
- Interviewed County departments
- Sent Requests for Information to County departments and reviewed their responses
- Completed PSPS-focused interviews with city and fire district personnel
- Reviewed PG&E reports, plans, and announcements
- Reviewed California Public Utilities Commission PSPS reports

## **CONFLICT of INTEREST DISCLAIMER**

One or more jurors recused themselves from this investigation due to possible conflict of interest and did not participate in the investigation, preparation, or approval of this report.

## **BACKGROUND**

A PSPS event is unique in that PG&E has sole discretion to initiate the action. It is not a random occurrence such as an earthquake, other natural disaster, or terrorism event. Power can be shut off for more than five days. The process of initiating an event is

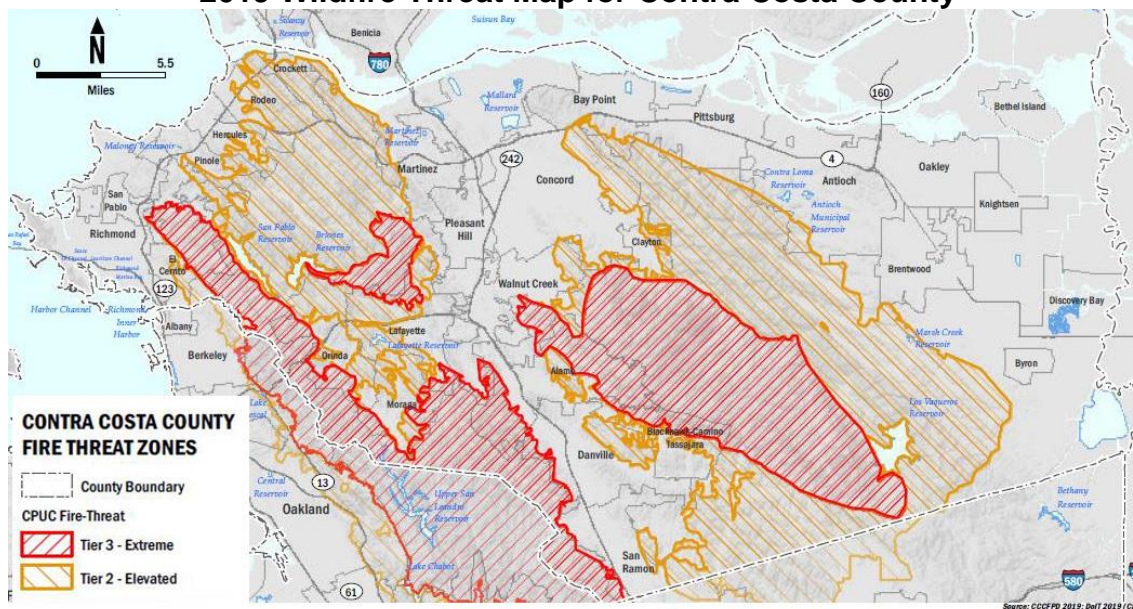
based on PG&E's assessment of wildfire threat across its service area and its decision to turn off potentially at-risk electrical power lines as a preventative measure. Factors that PG&E considers are:

- Red Flag Warning: It is a forecast warning issued by the National Weather Service in the United States to inform the public, firefighters, and land management agencies that conditions are ideal for wildland fire combustion and rapid spread. To the public, a Red Flag Warning means high fire danger with increased probability of a quickly spreading vegetation fire in the area within 24 hours.
- Low humidity levels
- Forecasted sustained winds generally above 25 miles per hour and wind gusts in excess of 45 miles per hour
- Condition of dry fuel
- On-the-ground real-time observations

Until PG&E initiates an event, there is uncertainty as to which areas will be impacted by a PSPS. PG&E plans include notification of local government agencies about PSPS events 24 to 48 hours in advance of a shutoff, but it may give less warning.

PG&E began implementing PSPS events in 2018 but Contra Costa County was not included in those shutoffs. Parts of the County designated as elevated or extreme fire danger areas are indicated in the following map prepared by the Contra Costa County Fire Protection District based on CPUC wildfire threat information.

### 2019 Wildfire Threat Map for Contra Costa County



PG&E defines potentially impacted areas as follows:

- Power lines that pass-through areas designated by the CPUC as elevated (Tier 2) or extreme (Tier 3) risk of wildfire. This includes both distribution and transmission lines.
- The specific area and number of affected customers will depend on forecasted weather conditions and which circuits PG&E needs to turn off for public safety.
- Power may be shut off for customers who do not live or work in a high fire-threat area if their community relies on a line that passes through an area experiencing fire danger conditions

Therefore, any customer who relies on electric service from PG&E should be prepared for a possible PSPS outage.

The Grand Jury's investigation considered the following questions as they relate to the impact of a PSPS event on County services considered essential to public health and safety. Specifically:

- Does the County have a Master Plan to outline emergency procedures that can serve as a guide to all County departments in a PSPS event?
- Do individual County departments have their own PSPS plans?
- Which County entity is responsible for coordinating PSPS activities?
- Did County officials coordinate with PG&E relative to County PSPS policies and procedures?
- Has the County evaluated a PSPS event's potential fiscal impact on its essential departments?

As the investigation progressed, the County did have two PSPS events. Events occurred on October 9-11, 2019, and then again on October 26-30, 2019. The Grand Jury investigation of PSPS preparedness occurred prior to, during, and after these PSPS events.

## **DISCUSSION**

### **PSPS PLANS**

The Jury's review of the County's emergency planning for a PSPS event found that the County does have an Operational Area Emergency Plan approved by the Board of Supervisors in 2015. The County Office of Emergency Services (OES) and Contra Costa County Fire Protection District (CCCFPD) have developed supporting plans that can be used for long-term power outages. However, the Grand Jury found no evidence

of a County-coordinated approach or County Master Plan to provide guidance to County departments. Four County departments had PSPS plans in draft form. Some of those departments consulted with PG&E during the development of their plans.

On August 23, 2019, the CCCFPD, in cooperation with the OES, gave a joint presentation to the Board of Supervisors about their plans to respond to wildland fire-related incidents. A portion of that presentation included steps for preparation and action specifically related to PG&E PSPS events. These plans include discussions of the roles and responsibilities of the following County departments: OES, Public Information, Sheriff/Law enforcement, Fire, Health Services/Medical Branch, Employment and Human Services, Public Works, and Logistics.

Every department within the County government has a specific mission. As an example, departments may be tasked with:

- Coordinating and providing health care
- Fire and public safety
- Maintaining roads and buildings
- Animal rescue

However, in planning for PSPS events, various aspects of all plans apply to most of the County's departments. These include:

- Communication
  - Internal (between County departments)
  - Internal (within departments)
  - External (with residents)
  - External (with other governmental entities)
  - Internet, wireless capabilities, and cable service
- Employee staffing and planning, including participation in OES operational calls and meetings, and participation in County Emergency Operations Center (EOC) activity
- Power supply, including back-up options
- Transportation and/or fuel supply
- Public information
- Departmental training, specifically for PSPS events
- Re-energization procedures

The Grand Jury found no evidence that County departments have utilized the OES and CCCFPD plans as a guide or template in order to develop their individual PSPS Preparedness Plans.

The Grand Jury found that most other County departments and cities reviewed initially planned to operate using their Emergency Operations Plans. The plans are similar to those for earthquake response except that a PSPS event has some warning and may last for a longer period of time.

When PG&E initiates a PSPS event, all County emergency operations are coordinated by the OES. Prior to the two 2019 PSPS events, County departments were either establishing plans which are more specific to PSPS events or were modifying current plans.

## **LEGISLATIVE AND OTHER GOVERNMENT ACTION**

Since PG&E initiated the use of PSPS in 2018, there have been several legislative efforts aimed at mitigating the impact of such events on residents, counties, cities, and other governmental organizations. The Jury has identified legislation that impacts the actions that electrical utilities and operators of telecommunications companies are required to take to assist their customers. These customers include: residents, counties, municipalities, and special districts. While some legislation has been signed into law, other legislation is currently being considered. The effect of these laws or bills may be beneficial to the County and its residents.

Existing legislation signed into law October 2, 2019, includes:

- SB 167 requires utilities to submit protocols to CPUC on how they will reduce the impact of planned blackouts on first responders and people who rely on life support equipment.
- SB 560 requires telephone companies to notify utilities and public safety agencies of how a power shutoff could affect their communications grid.

In addition to the above-described legislation which was signed into law, there is pending legislation that contains language specific to regulations that would assist the County with PSPS events in the future. These bills were either in Committee Process or Pending Referral at the time of the completion of this Grand Jury Report:

- SB 378 would require PG&E to compensate customers for losses incurred during PSPS events
- SB 801 requires electrical corporations to deploy backup electrical resources or provide financial assistance to customers receiving a medical baseline allowance if a customer meets specified conditions

- SB 802 would allow a health facility that has received a permit from an air district to operate an emergency backup generator and to use the backup generator during a PSPS event without having that usage count toward any time limitation on actual usage
- SB 431 would require the CPUC, in consultation with the State of California Office of Emergency Services, to develop and implement performance standards, as specified, for all mobile telephony service base transceiver station towers and for all infrastructure for providing mobile telephony service, Voice over Internet Protocol service, Internet Protocol-enabled service, and cable television service that is located within a Commission-designated Tier 2 or Tier 3 High Fire Threat District, or that affects those towers or that infrastructure within such a district

There are also grant opportunities available to counties including:

- State of California, Office of Emergency Services
- Federal Emergency Management Agency Urban Area Security Initiative
- State of California Homeland Security Grant

In 2019 the County received a state grant to provide support to the Office of Emergency Services response to PSPS.

### **Opportunities for Partnering with PG&E**

There have been ten PSPS events in California since the inception of the PG&E program: two in 2018, and eight in 2019. Of these, Contra Costa County experienced two events in 2019. Based on a review of the CPUC-required post-event reports, the Grand Jury identified several areas that invite interface and participation between PG&E and counties, municipalities, and other entities:

- Staffing County Emergency Operations Centers (EOC) by embedding a PG&E liaison or Geographic Information Systems (GIS) expert within the EOC
- Power Support/Outage Mitigation
  - Resilience Zones, which are pre-designated areas where PG&E can provide electricity to a specific area by isolating it from the wider grid and re-energizing it using temporary mobile generation at a pre-installed interconnection hub.
  - Sectionalization, where PG&E can partition and de-energize only portions of each circuit as opposed to a full circuit, in order to reduce the number of customers impacted. In Contra Costa County, the Grand Jury found no

evidence that circuits were sectionalized during the October 9 and October 26 events.

- Temporary Generation Deployment where isolation devices are used to disconnect portions of circuits from the wider grid using mobile transformers temporarily installed at local substations.
- Back-up Power Support for Exceptional Circumstances Impacting Public Safety where PG&E can deploy back-up power support to county sites to respond to public health, safety, environmental risks, first responder emergency operations, or other infrastructure critical to public safety. During the October 26 event, 26 sites were activated in California. The Grand Jury found no evidence that any sites were activated in Contra Costa County.

## **OCTOBER 9 AND OCTOBER 26 PSPS EVENTS**

During the October events, the EOC was activated to respond and coordinate the County response. Observations from these events follow.

### **Medical**

During the October 9 two-day PSPS event, more than 37,000 PG&E customers in Contra Costa County lost power. Of these, more than 1,000 were identified as medical baseline customers. Medical baseline customers are defined by PG&E as those with medical issues who would be impacted by the loss of their service.

During the October 26 five-day event, more than 65,000 PG&E customers in Contra Costa County were affected. Information regarding the number of medical baseline customers was not available to the Grand Jury.

There were communication issues between PG&E and the County, as well as between PG&E and the CPUC, during the October 9 PSPS event about the securing of non-disclosure agreements regarding personal healthcare information of residents considered medically at risk. County access to additional customer information was needed in order to assist local response efforts. As a result, identification of the PG&E medical baseline customers was not integrated with Contra Costa Health Services' information system regarding medically at-risk residents with conditions that could be impacted by the loss of PG&E service. There were data format communication issues between PG&E and the County which resulted in a reduced ability to produce an accurate list of at-risk residents.

The requirement for non-disclosure agreements was ultimately eliminated by PG&E at the direction of the CPUC, and Health Services was able to access the data from PG&E's medical baseline customer database during the October 26 event.

## **Communications**

Based on lessons learned during the October PSPS events, PG&E has stated in the CPUC compliance report that it is working to strengthen coordination with government agencies; in particular, counties and cities in its service area. Its plans include the establishment of a single point of contact for each county and the creation of a dedicated helpline monitored for special requests from counties. PG&E is planning to offer each county a remote or onsite GIS mapping specialist to provide more real-time information and technical support.

Based on the Grand Jury review of the CPUC compliance report, PG&E has listed areas of opportunity to improve their communication with governmental agencies and improve the tracking of real-time information during a PSPS event. They include:

- Planned outage areas
- Current outage areas
- Impacted circuits
- Impacted critical customers (e.g., hospitals, fire stations, law enforcement, and telecommunications)
- Medical baseline customers

Cellular phone providers were impacted by the PSPS events, as well as phone service provided by internet and cable providers. The loss of cellular service was not anticipated by some County departments. Cellular providers experienced a loss of 88 cell sites, which resulted in a 12% reduction of cell coverage in Contra Costa County. This impeded Health Service's ability to contact medically at-risk residents and the ability of residents to contact emergency personnel. The loss of cell coverage also compromised the ability of public safety departments to warn residents during fire evacuations and the ability of first responders to communicate internally via cellular phone regarding plans for such emergency operations as a large-scale evacuation.

## **Operations**

During the second PSPS event, which was three days longer than the first event, departments found their staffing depth was not enough to optimally operate during the event. Both events necessitated an increased use of different County resources which included: staff time, equipment, supplies, and other miscellaneous resources.

## **Community Resource Centers**

Community Resource Centers (CRCs) are locations provided to County residents impacted by a PSPS event. Services include water, restrooms, tables, and chairs, as well as the provision of power for basic charging needs, including mobile and small medical devices. CRCs sponsored and operated by PG&E also provide PSPS event information by dedicated PG&E staff. Other entities, such as cities and organizations, might also establish and operate a non-CRC resource facility.

A CRC meets the following requirements:

- Americans with Disabilities Act (ADA) compliant
- Accommodates up to 100 residents at a time
- Has back-up generator ability
- Open from 8 a.m. to 6 p.m.
- Site owner-approved

PG&E acknowledged in the November 8, 2019 compliance report sent to the CPUC that its CRCs did not adequately meet the needs of the customers who used them for the October 9 PSPS event. PG&E stated that it intends to partner with local agencies to identify where CRCs should be located, to open as many CRCs across impacted service areas as possible, and to post locations and hours on the pge.com website.

PG&E established one CRC within the County during the October 9 event. The CRC was located in San Ramon and was not in close proximity to the areas in the County that were most impacted by the PSPS.

During the October 26 event, PG&E established CRCs in four areas: Brentwood, Richmond, Moraga, and Walnut Creek. Resource facilities were also established and operated by individual cities and organizations such as the American Red Cross. It was not clear to all County departments which services were available at these locations. The interface between some County entities and the resource facility providers was not clearly established. For example, there was confusion regarding sheltering responsibilities between the County and the American Red Cross.

## **Fiscal and After-Action Report**

As of the completion of the Grand Jury investigation, there exists only a preliminary accounting of costs for some County departments. These costs appear to reflect staff time only and do not include costs such as additional equipment and supplies. The Grand Jury did not identify evidence that there is a means for tracking costs specifically incurred by a PSPS event. As of the issuance of this Grand Jury report, the full fiscal impact of the events on the County has not been made available to the Grand Jury.

As of the completion of this investigation, the After-Action Report for the two October PSPS events had not been made available to the Grand Jury. The purpose of an After-Action Report is to analyze the management or response to an incident, exercise, or event by identifying strengths to be maintained and built upon, as well as identifying potential areas of improvement. The Grand Jury's investigation indicates that it is common practice in Contra Costa County to have a debriefing at the end of events such as a PSPS. The debriefing is followed by an After-Action Report.

## **FINDINGS**

- F1. As of the date of this report, the County does not have a comprehensive operational PSPS response Master Plan for County departments.
- F2. Not all County departments have formalized PSPS plans.
- F3. The County Office of Emergency Services has a supporting plan to the Contra Costa County Emergency Operations Plan dated June 16, 2015, that is used for long-term power outages.
- F4. There is no evidence that all County departments have used the County Office of Emergency Services plan as a guide for the development of their departments' specific PSPS plan.
- F5. During the October 9 and 26, 2019 PSPS events, PG&E did not provide the County departments with accurate descriptions of impacted areas in real time.
- F6. With cell, cable, and internet phone service impacted by the loss of power, Health Services could not easily communicate with at-risk residents.
- F7. With cell, cable, and internet phone service impacted by the loss of power, there were communication issues among the staff of public safety departments.
- F8. There were not enough emergency generators pre-positioned for adequate backup to essential County services during the October events.
- F9. During the PSPS event of October 9, 2019, the PG&E Community Resource Center location in San Ramon was not close to areas most impacted by the shutdown. The locations of the Community Resource Centers were improved in the second event on October 26.
- F10. The interface between some County entities and the resource facility providers was not clearly established. Therefore, the County did not have enough information about available services at non-PG&E resource facility locations.
- F11. As of the date of this report, the Grand Jury has found no evidence that the County has a process for tracking its labor costs and other expenses directly associated with a PSPS event.

- F12. As of the date of this report, the Grand Jury has found no evidence that the total fiscal impact of the two October 2019 PSPS events has been provided.
- F13. Grant opportunities for County PSPS support are available through various State and Federal agencies.
- F14. The County may be able to use existing and pending State of California legislation to mitigate negative impacts of a PSPS on the County and its residents.
- F15. As of the date of this report, the County's After-Action Report for the two October 2019 PSPS events has not been made publicly available.

## **RECOMMENDATIONS**

Note: The Grand Jury conducted the majority of its investigations before Contra Costa County and the State of California issued shelter-in-place orders. The Jury recognizes that County departments, agencies, and cities are currently addressing COVID-19 related matters and the Jury has adjusted implementation dates in the recommendations accordingly.

- R1. By December 31, 2020, the Board of Supervisors should consider commencing the development of a unified approach to PSPS events to be used by all County departments which includes: requirements for backup power, communications, Community Resource Center coordination, and training of additional staff to support essential activities.
- R2. By December 31, 2020, the Board of Supervisors should consider directing County departments to develop a list of real-time information to be required of PG&E before initiation and during PSPS events.
- R3. By December 31, 2020, the Board of Supervisors should consider directing Contra Costa Health Services to have a protocol in place for working with PG&E to ensure that CCHS receives the information it requires to notify medical base-line customers of a PSPS event.
- R4. By December 31, 2020, the Board of Supervisors should consider evaluating alternative communication coverage during a PSPS event to address service disruption to cell sites, internet, and cable providers dependent on the PG&E power distribution system.
- R5. The Board of Supervisors should consider directing the County Administrator to establish a means of tracking PSPS costs by December 31, 2020.
- R6. By December 31, 2020, the Board of Supervisors should consider establishing a requirement that a final After-Action Report and a fiscal impact report be completed no later than 60 days after a PSPS event.

- R7. The Board of Supervisors should consider developing a plan to take advantage of funding available for PSPS events from various programs at State and Federal levels by December 31, 2020.
- R8. By December 31, 2020, The Board of Supervisors should consider tracking and communicating to County departments the status of existing and pending legislation which may mitigate the effects of a PSPS event on the County and its residents.

## REQUIRED RESPONSES

	<b>Findings</b>	<b>Recommendations</b>
Board of Supervisors	F1 through F15	R1 through R8
Office of the Sheriff	F1 through F5, F7 through F10, F13, F15	

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Civil Grand Jury – Foreperson  
 725 Court Street  
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 Martinez, CA 94553-0091



A REPORT BY  
THE 2019-2020 CONTRA COSTA COUNTY CIVIL GRAND JURY

725 Court Street  
Martinez, California 94553


Report 2006

# Juveniles in Detention

Changing Conditions, Changing Lives

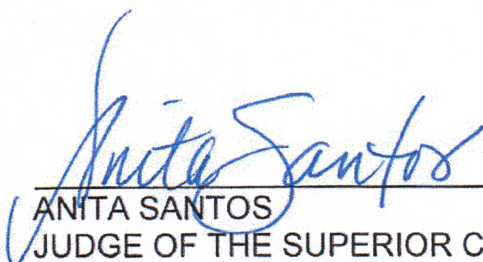
APPROVED BY THE GRAND JURY

Date May 27, 2020

  
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ANNE N. GRANLUND  
GRAND JURY FOREPERSON

ACCEPTED FOR FILING

Date May 27, 2020

  
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ANITA SANTOS  
JUDGE OF THE SUPERIOR COURT

Contra Costa County Grand Jury Report 2006

**Juveniles in Detention**

**Changing Conditions, Changing Lives**

**TO: Contra Costa County Board of Supervisors**

**SUMMARY**

How is Contra Costa County facing the challenges of rehabilitating youth in the justice system?

Disability Rights Advocates and Public Counsel filed a class-action lawsuit in 2013 against the Contra Costa County Office of Education and the Contra Costa County Probation Department. The lawsuit outlined concerns regarding the education and mental health care of disabled youth at Juvenile Hall and was settled in 2015. As a result of the lawsuit, the County Probation Department recently completed a mandated monitoring period to determine if improvements were made.

The Grand Jury (the Jury) examined behavioral management systems, mental health services, staffing in detention facilities, educational services, post-release care, and cooperation between the Probation Department and Contra Costa County Behavioral Health Services in Contra Costa County (the County). Behavioral Health Services is a branch of the County Health Department that provides mental health care to County residents.

The Jury found that changes were made after 2013 to services, programming, staffing, and mental health care in the County juvenile detention centers. The juvenile detention facilities increased staffing, added a new behavior management system, and created separate programs for boys and girls. The Grand Jury found that it is difficult to obtain data on program effectiveness and recidivism rates, and recommends that the Probation Department consider installing a case management system and hiring a case management analyst to administer it. The Jury also recommends that Behavioral Health Services consider hiring additional staff to reduce wait times for post-release services.

The Jury further recommends that the Probation Department consider expanding the use of the Orin Allen Youth Rehabilitation Facility to include both male and female low-level youth offenders.

## **METHODOLOGY**

In the course of our investigation, the Grand Jury:

- Interviewed staff from the Contra Costa County Probation Department and Behavioral Health Department
- Toured Contra Costa County Juvenile Hall and the Orin Allen Youth Rehabilitation Facility
- Reviewed the 2013 class-action lawsuit filed against the Contra Costa County Office of Education and the Contra Costa County Probation Department
- Reviewed the 2013-2014 Contra Costa County Civil Grand Jury Report 1408 on detention centers
- Reviewed the 2015 settlement of the 2013 lawsuit
- Reviewed the University of Cincinnati's Ohio Youth Assessment System
- Reviewed the Contra Costa County Juvenile Justice Coordinating Council: Consolidated Annual Plan for 2019-2020
- Reviewed the Board of State and Community Corrections (BSCC) Title 15, Minimum Standards for Juvenile Facilities

## **CONFLICT OF INTEREST DISCLAIMER**

One or more jurors recused themselves from this investigation due to possible conflict of interest and did not participate in the investigation, preparation, or approval of this report.

## **BACKGROUND**

Contra Costa County has two facilities for juvenile detention: the John A. Davis Juvenile Hall (the Hall) located in Martinez and the Orin Allen Youth Rehabilitation Facility (OAYRF) located in Byron. Both facilities are under the jurisdiction of the Contra Costa County Probation Department, Field Services Division. The Hall opened in June of 2005. It is a maximum-security detention facility for youth up to age 18, with 290 beds distributed among ten housing units. Residents are classified based on age, maturity, gender identity, offense, and special needs. Residents are then assigned to the appropriate housing unit based on their classification. The Hall has a kitchen, laundry room, incentive room, woodshop, and exercise areas. A branch of the Contra Costa

County Library system is in the Hall, and residents may request and check out reading materials.

Mt. McKinley School is in the Hall, with classrooms located in each housing unit. The school offers comprehensive, accredited education programs for elementary, middle, and high school students and is operated by the Contra Costa County Office of Education. Residents enroll in classes that meet five days a week, year-round. Teaching staff develop an Individual Learning Plan for each student. High school classes earn credit toward graduation. Residents can earn a high school diploma or an equivalency certificate while in Juvenile Hall.

OAYRF opened in March 1960, with a capacity of 21 youth. An additional unit opened in 1999, bringing the capacity to 100 youth. Residents are limited to males who have been directed to OAYRF by the Juvenile Court. All residents first enter Juvenile Hall in Martinez before being considered for residence at OAYRF, also known as “The Ranch.” It is a medium security facility.

Programming at OAYRF has four parts: school, work experience, recreation, and counseling. A branch of Mt. McKinley School operates at OAYRF, and students attend classes five days a week, year-round. School staff assesses all residents and they are put on a track to earn credits toward a high school diploma, a General Education Diploma (GED), or credits that can be transferred to their home schools.

Another branch of the Contra Costa County Library System is at OAYRF. Students request and check out reading materials and attend special events sponsored by the library, such as a yearly poetry contest. Work experience for residents includes landscaping, carpentry, janitorial services, food service, small engine repair, and laundry. All landscaping at OAYRF is done by residents. Staff instruct them in maintaining the grounds and facilities, and in carpentry. A variety of organized sports, a gymnasium with weightlifting equipment, swimming in the onsite pool, and sports team competitions with other ranch schools and local high schools provide recreation for the residents. Volunteers staff an onsite workshop where residents learn small engine repair skills. Residents obtain counseling in individual and group settings, with specialized programming in positive social skills, anger management, substance abuse, and mental health.

## **The Lawsuit**

Disability Rights Advocates and Public Counsel filed a class-action lawsuit in 2013 against the County Probation Department and the County Office of Education. The lawsuit alleged that both agencies discriminated against juveniles with disabilities housed at the Hall. The lawsuit further alleged that residents were locked in their rooms in solitary confinement for up to 23 hours a day because of staff shortages. The lawsuit

also alleged that the confinement worsened pre-existing mental health issues, such as depression, bipolar disorders, Attention Deficit/Hyperactivity Disorder (ADHD), and psychosis.

All students with diagnosed disabilities and/or special education needs are required by state and federal law to receive an appropriate education in schools, along with any and all special services necessary for them to succeed in their educational progress. The Individuals with Disabilities Education Act, enacted by the federal government in 1990, defines an “appropriate education” as one that emphasizes special education and related services designed to meet the student’s unique needs and prepare them for further education, employment, and independent living. The 2013 lawsuit alleged these services were withheld due to behavior-related issues and staff shortages. It cited examples of youth affected by solitary confinement. The lawsuit alleged that this practice caused youth to develop severe mental health issues, delayed timely treatment, and caused some youth to be removed from the Hall and hospitalized in a psychiatric facility as a result of these practices.

The Probation Department and the Office of Education settled the lawsuit in 2015. The settlement required the Probation Department to retain experts to conduct a review and write a report of the Department’s policies, procedures, and practices at the Hall with respect to:

- Use of room confinement
- Use of behavior incentives
- Coordination between the Probation Department and the County Office of Education regarding the implementation of Individualized Education Plans (IEPs), 504 Plans (used for learning disabilities such as dyslexia), and behavior intervention plans
- Identification, assessment, and tracking of youth with disabilities at Juvenile Hall for use by the County Office of Education and the County Mental Health Department
- Implementation of the Juvenile Detention Alternatives Initiative which specifies that a disability must be considered in determining an appropriate response when assigning consequences for behavioral infractions

## **Other Areas of Review**

The current Grand Jury reviewed the impact of the 2013-2014 Contra Costa County Grand Jury Report 1408 (the Report) and the settlement of the class-action lawsuit on

services provided to juveniles by the Probation Department at both the Hall and OAYRF. The Jury also examined:

- Adequacy of services provided by Behavioral Health Services
- The provision of mental health and behavioral services to the residents of the Hall and OAYRF
- Cooperation between the Probation Department and Behavioral Health Services

The Report examined all juvenile and adult detention facilities in the County and found that the ratio of staff to residents was 1:10. The Report also found that the juvenile facilities lacked a modern, computer-based data and case management system. It was difficult to access information on residents and judge the effectiveness of programming for the residents without the case management system.

### **Decrease in Juvenile Arrests**

A factor affecting conditions for youth in detention is the decrease over the last ten years in the number of youth arrested at both state and county levels. In 2010, 2,573 Contra Costa County youth were arrested for alleged criminal acts. By 2018, that number fell to 662 youth. This 74% decrease in arrests was due to diversion programs and a drop in juvenile crime.

## **DISCUSSION**

In California, some counties are considering closing or reducing their juvenile detention facilities for reasons such as:

- Cost of housing and services for juveniles
- Cost of adequate staffing
- Effectiveness of programming and rehabilitative services
- Negative impact of detention on youth

The Grand Jury reviewed the Juvenile Justice Coordinating Council's *2019/2020 Consolidated Action Plan*. The Juvenile Justice Coordinating Council is a multi-agency group in each county that is required to develop and implement a continuum of county-based responses to juvenile crime. Its yearly action plan confirms positive changes in juvenile detention and notes areas to be addressed. The Jury reviewed the findings and

recommendations of the Report, and its implementation. The 2015 settlement of the class-action lawsuit brought changes in mental health treatment and behavioral therapy to residents in both facilities, with increased staffing, increased programming for behavior management, and gender-focused programming.

## **Impact of the Class-Action Lawsuit**

### **Behavioral Management Practices**

Prior to the lawsuit, the Probation Department had already begun to change its approach to behavior management in juvenile detention facilities. Previously used methods were punitive in nature, emphasizing punishment and allowing prolonged solitary confinement in cells. In 2008, the Youthful Offender Treatment Program (YOTP) started for boys at Juvenile Hall. In 2010, the Girls in Motion (GIM) program started for girls at the facility. These two programs are funded by the Youthful Offender Block Grant (YOBG) which was created in 2007 with California SB 81. The YOBG is designed to keep non-violent youth close to their communities and family support systems. The YOTP for boys takes an average of ten months to complete, and the GIM program for girls takes about six months. Both programs require youth to participate in counseling, gender-specific treatment sessions, anger management classes, substance abuse classes, and classes on trauma recovery.

The lawsuit accelerated the development of additional programs for youth in detention in the County. In 2016, the Probation Department chose evidence-based programming originated by the University of Cincinnati, based on Cognitive Behavior Therapy. Cognitive Behavioral Therapy is a process of analyzing and thinking about behavior patterns, their causes, and how to change them with different and positive actions in the future. The program promotes changing thinking patterns in youth to help manage anger, choosing positive behaviors, finding common ground with other youth, and building positive relationships. The University of Cincinnati research found that focusing on positive behaviors and rewarding youth for those behaviors had a longer lasting and greater impact than management systems that were punitive and focused on negative behaviors. The benefits of positive actions caused subjects to choose the recognition and rewards of positive behavior.

Trained Probation staff teach the programs in group settings. They focus on replacing negative behavior skills with positive pro-social actions and utilize role-playing exercises and critical thinking skills. Programs include:

- Aggression Replacement Training (ART): a 30-session program that replaces anger-based actions with positive social skills, anger management, and moral reasoning

- Thinking for a Change (T4C): a 25-session program that develops pro-social skills, problem solving, and cognitive self-change. Youth are provided with ways to combat antisocial thoughts and feelings, and real-life situations are used as examples for role play
- Cognitive Behavioral Intervention – Substance Abuse (CBI-SA): a 33-session program that addresses substance abuse, motivation, regulating emotions, problem solving, social skills, and relapse prevention

Along with these programs, the Probation Department initiated incentive-based behavior management practices in 2016. These practices reward good behavior choices with incentives such as extra free time, participation in field trips, longer family visits, and social get-togethers. Short time-outs, counseling, and loss of incentives are used to motivate more positive choices. Youth earn privileges by following rules, attending school, and being respectful to staff, teachers, and other residents. Verbal praise is given often, and a point system for good behavior is used weekly to award extra free time, commissary items, and special work assignments.

### **Additional Requirements of the 2015 Settlement**

The Probation Department and the County Office of Education agreed to three additional requirements in the settlement of the lawsuit: Multi-Disciplinary Teams, attendance at Individualized Education Plan (IEP) meetings, and room confinement practices.

- Multi-Disciplinary Teams: Representatives from the Probation Department, the County Office of Education, and the County Mental Health Department meet once per month, with additional meetings held as needed. Topics discussed at the meetings include:
  - Coordination of responses and interventions for individuals who are having consistent and/or chronic issues with behavior
  - Provision of special education and counseling services to all eligible youth in all units and facilities
  - Provision of a continuum of placements for special education needs of juveniles in detention
- Attendance at IEP meetings: A Probation staff member attends IEP meetings when requested, for issues of youth removed from the classroom for disciplinary reasons, changes in placement for residential treatment or a special day class, or behavior support/intervention plans for youth in the YOTP or GIM programs.

- Room confinement: Probation staff cannot use room confinement for discipline, punishment, administrative convenience, retaliation, staffing shortages, or reasons other than a temporary response to behavior that threatens immediate harm to the youth or others. Room confinement cannot last longer than four
- hours. Probation staff develop special individualized programming for juveniles with persistent behavior problems that threaten the safety of other youth, staff, or the security of the building.

## **Mental Health Care**

Behavioral Health Services (BHS) is a branch of the Contra Costa County Health Services Department that provides mental health care to County residents. Since the settlement of the lawsuit, BHS has worked with the Probation Department to coordinate and provide mental health services for youth in detention. BHS implemented training in cognitively based management systems for probation staff. In the past, both agencies offered mental health care to juveniles, but there was a lack of comprehensive assessment for all youth coming into detention. Issues such as suicide risk were not fully evaluated. A higher ratio of juveniles in detention to staff led to an increased number of behavioral incidents, resulting in punitive consequences such as solitary confinement in cells.

The lawsuit highlighted the impact of the punitive actions on youth with diagnosed mental health conditions. The juveniles' mental state would frequently deteriorate and there were not enough staff and mental health professionals to address the needs of these youth. The Grand Jury found that the percentage of juveniles in detention with mental health conditions has risen over the past ten years to rates between 35% and 50%.

The Grand Jury found that many juveniles in detention have faced challenges such as generational poverty, racism, inadequate school attendance, lack of parental supervision or involvement, and language barriers. These factors can contribute to depression, anxiety, poor anger management, confrontational behaviors, and addictive tendencies.

The Probation Department coordinates mental health care with BHS, which is part of the County Health Services program. A clinical team from BHS screens youth within 24 hours of arrival at the Hall. The team consists of one clinical psychologist, three mental health therapists, and up to four doctoral training students. Team members must have at least a Master's degree in a relevant field and be gaining the experience required to be licensed as a clinical social worker, mental health therapist, or psychologist.

An initial intake interview is performed by a member of the team using the Massachusetts Youth Screening Instrument, Version 2 (MAYSI-2). This is a form the youth fills out that identifies risk factors and mental health needs. The youth also fills out a suicide screening tool, the Ask Suicide Screening Questionnaire, which may trigger a call to BHS for services. Youth that are found to be a suicide risk are screened frequently during their stay in detention after the initial assessment. They are kept under close observation which may include daily mental health care, increased room checks, and daily assessment. They are not segregated from the general population. Restraints such as smock gowns or wraps can be used in more active suicidal situations, but staff rarely use them. There were two suicide attempts at Juvenile Hall and none at OAYRF from 2018-2019 but no suicides at either facility during that time.

BHS provides therapy for youth with mental health needs to all juveniles in detention. The number of sessions varies based on the willingness of the youth to receive therapy, their individual needs, and the length of time they have been in the Hall or OAYRF. Sessions are private to encourage participation in the process. Programs such as YOTP and GIM provide group therapy.

If BHS staff determine that a youth needs prescribed medication for mental health needs, a nurse at the facility dispenses the medications. Youth at the Hall may be prescribed a wide range of medications. A nurse is always on duty at the Hall for these needs. In general, youth at OAYRF only take medications for low-level conditions such as ADHD. A nurse is present at OAYRF five days a week during the day for medication dispensing, and Probation staff are trained in dispensing when the nurse is not on duty. If BHS staff determine a youth needs continuing medication after release from detention, the youth receives a 30-day supply. If juveniles entering detention are on Medi-Cal, their benefits stop for the duration of their detention. Part of pre-release planning for youth is assistance received from Probation staff to reinstate Medi-Cal benefits so they can continue to have medication coverage.

The Juvenile Justice Coordinating Council is a multi-disciplinary group of professionals from the Probation Department, Behavioral Health Services, the District Attorney's Office, Children and Family Services, and representatives from the Juvenile Justice Commission. The Juvenile Justice Commission is a 15-member group of County youth and adults that serve as an oversight committee for juvenile detention facilities, programs, and law enforcement agencies. They act in an advisory capacity for the Juvenile Court and the Probation Department. The Council identified needs for increased behavioral health services for youth in detention in its proposed Consolidated Annual Plan for Fiscal Year 2019-2020. The plan identified a need for trauma-informed counseling programs, increased substance abuse programs, and cultural- and gender-specific programming for the diverse group of juveniles being served by the County.

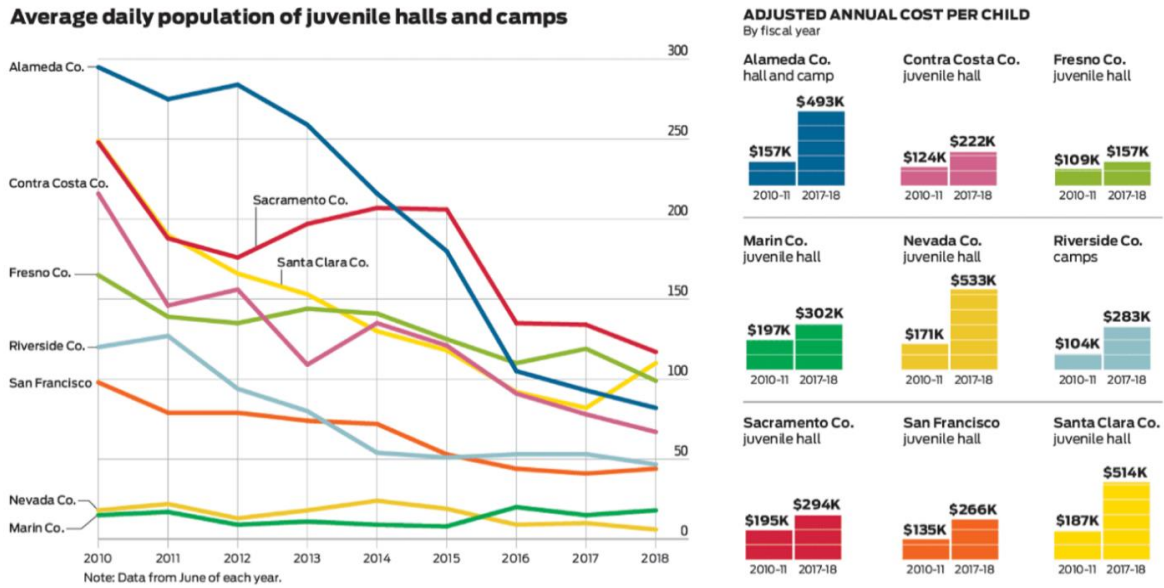
## **Staffing**

Staffing levels are now 1:8, in compliance with the Prison Rape Elimination Act. Currently, there are 131 personnel at Juvenile Hall and 38 personnel at OAYRF. Staff who work with youth are required to have at least 60 units of college credit, equivalent to an Associate of Arts degree. Juvenile Probation Officers must have a Bachelor of Arts degree. Six or seven individuals are offered positions each year, out of a group of approximately 100 applicants. Probation staff are trained to provide the Cognitive Behavior programming at both Juvenile Hall and OAYRF. The University of Cincinnati Corrections Institute provides the training through its Ohio Youth Assessment System. Once Probation Staff complete this training, they are certified to administer it in juvenile detention facilities.

## **The Financial Cost of Juvenile Detention**

Annual costs for incarcerating youth in Contra Costa County have almost doubled in the past ten years, while the number of youth in detention has gone down. In 2010, the average annual cost per youth was \$124,000; by 2018, the average cost was \$222,000 (Figure 1). Annual ongoing costs have almost doubled due to new staffing requirements, fixed costs, and additional programming and training. In 2010, there was a daily average of 220 youth in detention in the County. By 2018, the daily average had fallen to 70. Of this number, 57 were males and 13 were females.

**Figure 1. Average Daily Population & Cost Per Child**



**Source: San Francisco Chronicle - 2019**

This increase in costs factors into the discussion around closing or reducing juvenile detention facilities in California and other states. At the beginning of the last decade in California and Contra Costa County, there were more youth in detention, fewer staff to

manage them, and fewer programs that were designed to help the youth change their behaviors and actions. By 2018 there were fewer youth in detention in Contra Costa County, adequate staffing to manage them, and a large range of programming designed to help reduce recidivism and improve social functioning. The Grand Jury learned that the additional programming, added to the County's costs for the juvenile facilities, is a cost that was not present earlier in the decade. This change in conditions at the County's juvenile facilities represents an effort to break the juvenile hall-to-prison pipeline by teaching youth to change their actions and thoughts to reintegrate into society after release.

## Post-release Services

When juveniles in detention approach their release date, a team of Probation and Behavioral Health staff assists in making the transition back to society a positive one. If the youth had been receiving Medi-Cal benefits, these benefits usually stop during the detention period. Probation staff assist the families with the process of regaining

benefits for their child. These benefits are essential for the continued mental health care of the youth on prescribed medications as part of their treatment plan.

The Multi-Disciplinary Team and representatives from the Contra Costa County Office of Education meet to help the family enroll their child in a local school. They interview family members and assess the ongoing mental health and counseling needs of the youth and family. A liaison from the County Mental Health Department or a Clinical Social Worker assigns the family and youth to outpatient counseling and therapy services. The YOBG funds services such as Functional Family Therapy, Multi-Systemic Therapy, and Multi-Dimensional Family Therapy. Each service has a different focus, such as intensive home-based family therapy or substance abuse help. The Behavioral Health Department works together with the Probation Department and a community-based organization, called Community Options for Family and Youth, to provide these services in the County.

The Grand Jury learned that there can be a wait time after release before mental health services begin, ranging from one week to one month. According to the Grand Jury's investigation, youth and families must be able to access therapy as soon as possible after release to continue the treatment they received while in detention. From reviewing the Juvenile Justice Commission's Consolidated Annual Plan, the Grand Jury found that services are not evenly distributed throughout the County. East Contra Costa County has fewer providers and longer wait times. Youth and their families in East County may have to travel long distances to access care. Increasing the number of mental health service providers in under-served areas would shorten the wait time for youth and their families. Accessing care close to their homes would help them continue to make progress in positive behavior management after release from detention.

## **Case Management**

The effectiveness of the changes in services and programming for youth in detention has been difficult to measure. The Probation Department collects data about the programs, but it has no centralized case management system. Such a system could provide information on recidivism, effectiveness of programming, and post-release care. A case manager for the data system would help agencies target areas of the County that are in need of increased services. Sharing data between agencies such as Behavioral Health Services and the Probation Department would improve the coordination of care for youth post-release. Juvenile records are sealed for the protection of the minors involved; however, a case management system could compile anonymous information that would demonstrate the effectiveness of the changed programming. In its proposed Annual Coordinated Plan for 2019-2020, the Juvenile Justice Coordinating Council recommended installing a case management system and hiring a case manager to bridge the gaps in service. The Probation Department has not installed a case management system nor hired a case manager as of the writing of this report.

## Challenges and Rewards

Treatment and management of juveniles in the justice system can be challenging for Probation and Behavioral Health staff. Some factors impacting these juveniles are difficult to change, such as home environment, family history, generational poverty, and the breakdown of family structures. The use and abuse of drugs in their home neighborhoods is also a factor for many of these youth. County facilities do provide substance abuse and Alcoholics Anonymous services to youth, but additional post-release treatment providers are needed to maintain progress made in detention centers.

All female youth in detention are housed at Juvenile Hall. This facility lacks the additional rehabilitative services available at OAYRF, such as work experience in landscaping, carpentry, small engine repair, and foodservice. OAYRF is a large facility which currently houses a small group of male youth. If girls with low-level (non-felony) offenses were assigned to OAYRF, they could make use of the expanded work experience programs.

Proposed legislation in the California Senate (SB 889) would re-classify 18 to 19 year-old Californians as juveniles, or “emerging adults,” in the state’s criminal system. They would avoid being sent to an adult prison and be given the opportunity to benefit from programming focused on juvenile offenders. If the legislation passes, it will increase the number of juveniles needing placement in either the Hall or OAYRF and would require the facilities to remain open and staffed.

The professionals involved in caring for youth in detention work on a daily basis to improve the lives and futures of these young people. They are trained in the positive behavior management systems that help youth reconsider their actions and change their thinking. Many staffers have been working with youth for most of their careers. They provide experiences such as formal graduation ceremonies for high school, sailing lessons on San Francisco Bay, and trips to baseball games. These experiences can have a life-changing effect on youth who have not had the opportunity to participate in what are everyday events for many youth.

## FINDINGS

- F1. The Contra Costa County Probation Department has changed services and added services for youth in detention since the settlement of the class-action lawsuit in 2015.
- F2. In Contra Costa County’s juvenile detention facilities, information on recidivism and effectiveness of programs is not available due to a lack of a case management system.

- F3. The Probation Department and other Contra Costa County agencies such as Behavioral Health Services are not able to share data when coordinating post-release care for youth, due to the lack of a case management system in the Probation Department.
- F4. The percentage of mental health diagnoses in Contra Costa County juvenile detention facilities is between 35% and 50% of the youth population in detention.
- F5. Post-release, youth and families may have to wait up to a month to access mental health services provided by Behavioral Health Services and a community-based organization called Community Options for Family and Youth.
- F6. In 2016, cognitively based programs for anger management, drug and substance abuse, and positive social skill development were initiated at both Juvenile Hall and Orin Allen Youth Rehabilitation Facility.
- F7. All residents at both Juvenile Hall and Orin Allen Youth Rehabilitation Facility have access to these cognitively based programs.
- F8. All girls in juvenile detention in Contra Costa County are housed at Juvenile Hall.
- F9. Work experience programs at Orin Allen Youth Rehabilitation Facility such as carpentry, landscaping, food service, and small engine repair are unavailable to girls in detention at Juvenile Hall.

## **RECOMMENDATIONS**

Note: The Grand Jury conducted the majority of its investigation before Contra Costa County and the State of California issued shelter-in-place orders. The Jury recognizes that County departments, agencies, and cities are currently addressing COVID-19 related matters and the Jury has adjusted implementation dates in the recommendations accordingly.

- R1. The Grand Jury recommends that the Board of Supervisors consider directing the Contra Costa County Probation Department to acquire and install a case management system to compile data on recidivism and program effectiveness, by June 30, 2021. The system would also facilitate coordination of post-release services for youth with other agencies.
- R2. The Grand Jury recommends that the Board of Supervisors consider directing the Contra Costa County Probation Department to hire a case manager to coordinate the use of the case management system, by June 30, 2021.

- R3. The Grand Jury recommends that the Board of Supervisors consider directing the Contra Costa County Health Services Department to hire additional mental health care staff to reduce the wait time for post-release services for youth and families, by June 30, 2021.
- R4. The Grand Jury recommends that the Board of Supervisors consider directing the Contra Costa County Probation Department to evaluate the propriety of relocating girls in detention with low-level offenses to Orin Allen Youth Rehabilitation Facility, by June 30, 2021.

## REQUIRED RESPONSES

	Findings	Recommendations
<b>Contra Costa County Board of Supervisors</b>	F1, F2, F3, F4, F5, F6, F7, F8, F9	R1, R2, R3, R4

These responses must be provided in the format and by the date set forth in the cover letter that accompanies this report. An electronic copy of these responses in the form of a Word document should be sent by e-mail to [ctadmin@contracosta.courts.ca.gov](mailto:ctadmin@contracosta.courts.ca.gov) and a hard (paper) copy should be sent to:

Civil Grand Jury – Foreperson  
 725 Court Street  
 P.O. Box 431  
 Martinez, CA 94553

## Acronyms

ADHD: Attention Deficit/Hyperactivity Disorder

ART: Aggression Replacement Training

BHS: Behavioral Health Services

BSCC: Board of State and Community Corrections

CBI-SA: Cognitive Behavior Intervention – Substance Abuse

GED: General Education Diploma

GIM: Girls in Motion

IEP: Individualized Education Program

MAYSI-2: Massachusetts Youth Screening Instrument, Version 2

OAYRF: Orin Allen Youth Rehabilitation Facility

T4C: Thinking for a Change

YOBG: Youthful Offender Block Grant

YOTP: Youthful Offender Treatment Program



A REPORT BY  
THE 2019-2020 CONTRA COSTA COUNTY CIVIL GRAND JURY

725 Court Street  
Martinez, California 94553

Report 2007

# Wildfire Preparedness in Contra Costa County

APPROVED BY THE GRAND JURY

Date June 8, 2020

Anne N. Granlund  
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GRAND JURY FOREPERSON

ACCEPTED FOR FILING

Date JUN 08 2020

Anita Santos  
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JUDGE OF THE SUPERIOR COURT

Contact: Anne Granlund  
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Contra Costa County Grand Jury Report 2007

## **Wildfire Preparedness in Contra Costa County**

**TO: Board of Directors of: Contra Costa County Fire Protection District, East Contra Costa Fire Protection District, Moraga-Orinda Fire Protection District, Rodeo-Hercules Fire Protection District, San Ramon Valley Fire Protection District**

**City Councils of: El Cerrito, Pinole, Richmond**

### **SUMMARY**

Wildfires occur every year in California and Contra Costa County (the County), but in recent years the size of and damage from wildfires has increased substantially. The Grand Jury examined Contra Costa County's preparedness for future wildfires.

Fire districts and fire departments in the County have responded to the elevated risks of fire in many ways, including:

- Increased staffing and patrols during a Red Flag Warning
- Expanded weed abatement programs
- Advising homeowners on hardening their homes and property
- New technology to detect fires earlier and aid in evacuation
- Evacuation planning
- Public education on fire hazards and preparation for fires

PG&E's recent Public Safety Power Shutoffs (PSPSs) have affected evacuation efforts and emergency responses during a fire. Fire districts and fire departments are not always informed in advance of PG&E's non-emergency maintenance work in high fire risk areas.

Due to a lack of funding, the number of fire stations and staffing levels in East Contra Costa Fire Protection District has not been restored to the pre-2008 levels.

The Grand Jury recommends that County fire districts and fire departments consider updating their wildfire evacuation plans and incorporating advanced routing technology. The Grand Jury also recommends that the County fire district boards and the cities of El Cerrito, Pinole, and Richmond consider identifying funds to adopt or expand the use of new technologies to help detect fires in high-risk areas. The Grand Jury recommends that East Contra Costa Fire Protection District consider identifying options to fund additional fire stations and staff to restore fire services to pre-2008 levels. The Grand Jury recommends that the County fire district boards and the cities of El Cerrito, Pinole, and Richmond review and consider mechanisms, such as the ordinance passed by the San Ramon Valley Fire Protection District, that enable the fire district or fire department to recover labor and equipment costs from PG&E for overseeing electrical utility work that presents a high fire risk.

## **METHODOLOGY**

During this investigation, the Grand Jury:

- Interviewed Contra Costa County fire personnel
- Reviewed evacuation plans and other fire preparedness materials provided by Contra Costa County fire districts and fire departments
- Toured the Contra Costa County Sheriff's Communications Center and Emergency Operations Center

## **BACKGROUND**

Contra Costa County fire protection services are provided by eight city fire departments or fire protection districts. Fire protection districts cover multiple towns, cities, and unincorporated areas. They report to an elected board of directors. A few individual cities maintain their own fire departments and may contract with adjacent areas to provide fire protection services. They report to their respective city councils, usually through a city manager.

California experienced the most destructive wildfires in its recorded history in 2017 and 2018. Due to a combination of drought-stricken land and record high temperatures, wildfires burned over 1,500,000 acres, damaged or destroyed over 10,000 structures,



night, causing the fire to move at a speed of three miles per hour. It took only four hours for the fire to travel from Calistoga to Santa Rosa, burning at a rate of about an acre a minute. The fire jumped Highway 101 and devastated the Coffey Park neighborhood in Santa Rosa. In all, more than 42 people across four counties lost their lives, making it the most destructive wildfire in California history at the time.

On November 8, 2018, the Camp Fire consumed 10,000 acres around Paradise, California, in about 90 minutes – burning the equivalent of more than one football field every second. The fire spread rapidly because of windy and dry conditions, and it overwhelmed all communication and evacuation plans. Eighty-six people lost their lives in the fire.

In the 1960s, 8,000 people lived in Paradise. When the Camp Fire occurred, Paradise had grown to 26,572 people with only four evacuation routes running south – down ridges and through forests. After a wildfire in 2008, a forest roadway north of the town was paved to provide an outlet for residents on the upper ridge above Paradise. However, on the day of the Camp Fire, the narrow winding northern road became impassable, and existing roads failed to meet mass evacuation needs.

Before the 2018 fire, the city of Paradise conducted evacuation drills, advertised its warning system, and promoted “pack and go” preparations. These preparations did not prevent the destruction of Paradise during the chaos of the firestorm.

### **Before and After Photos:**

#### **Cypress Meadows Post-Acute Skilled Nursing Facility in Paradise**



Source: P. Murphy, Paul. (November 14, 2018) CNN

The Grand Jury investigated Contra Costa County’s preparedness to handle a similar wildfire threat in the future.

## **DISCUSSION**

### **Causes of Wildfires**

The United States National Park Service states that humans cause nearly 85 percent of

wildland fires in the United States. Human-caused wildfires can result from campfires left unattended, the burning of debris, equipment usage and malfunction, negligently discarded cigarettes, and intentional acts of arson. Hazardous fuels, such as accumulated vegetation, increase the likelihood of an unusually large wildland fire.

## Red Flag Warning

According to CAL FIRE, the National Weather Service issues Red Flag Warnings to alert fire districts and fire departments of the onset, or possible onset, of critical weather and dry conditions that could lead to rapid or dramatic increases in wildfire activity. A Red Flag Warning is issued for weather events which may result in extreme fire behavior that will occur within 24 hours. A Red Flag Warning is the highest alert. During these times extreme caution is urged by all residents because a simple spark can cause a major wildfire.

During a Red Flag Warning, many Contra Costa County fire districts and fire departments increase their staff and send out patrols to monitor areas that are known to be high-risk fire areas, such as Wildland-Urban Interface (WUI) zones. Figure 2 shows areas of fire risk in Contra Costa County.

**Figure 2: Fire Risk in Contra Costa County**

### CONTRA COSTA COUNTY'S FIRE DANGER

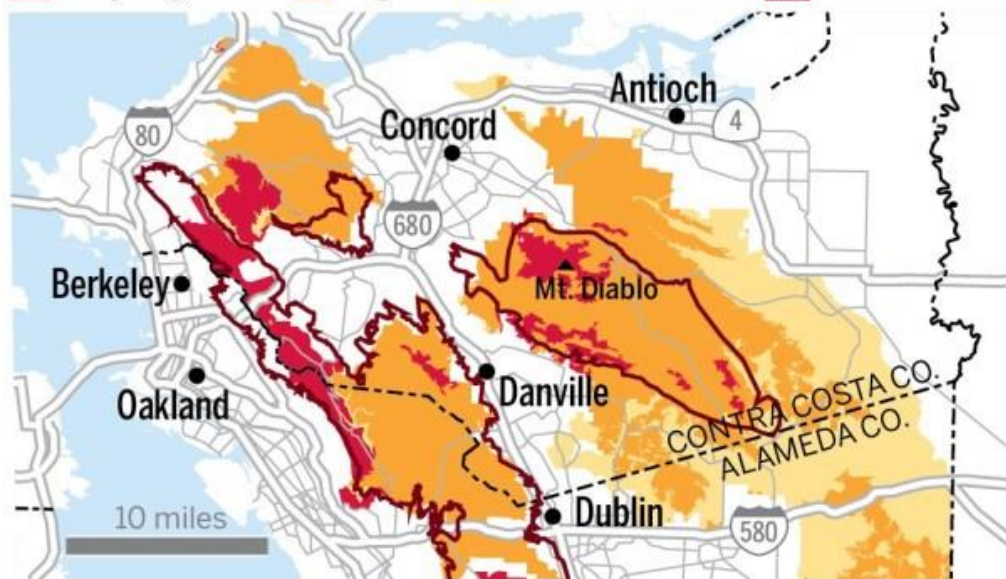
The county's fire chief has warned of a dangerous fire season ahead. Two-thirds of the county is currently in a fire hazard zone.

#### Cal Fire fire hazard severity zones

Very high High Moderate

#### Fire threat\*

Extreme



\* Designated by the California Public Utilities Commission  
Sources: Cal Fire and CPUC

BAY AREA NEWS GROUP

During emergencies, fire districts and fire departments practice mutual aid when they provide fire equipment and personnel assistance to each other across jurisdictional boundaries. During a Red Flag Warning, Contra Costa County fire districts and fire departments often deploy pre-positioned strike teams to monitor vulnerable fire danger spots. These strike teams, composed of firefighters from Contra Costa County fire districts and fire departments, provide backup to local firefighters with four to five fire engines, each staffed with four firefighters, a leader, and a trainee. The strike team also includes water tenders (used in remote areas), a bulldozer, and two to three chief officers. This strike team is deployed when there is a major fire in the County. During the 2019 Merrill Fire in Moraga, strike teams were used to contain and reduce the impact of the fire.

## **North Orinda Shaded Fuel Break**

On February 22, 2019, CAL FIRE identified 35 priority projects that could be implemented immediately to help reduce public safety risk for over 200 of California's most wildfire-vulnerable communities. One of these projects is the North Orinda Shaded Fuel Break. On July 23, 2019, work on the project began along 19.3 miles of open space between the eastern part of Tilden Regional Park in Berkeley and Pleasant Hill Road near Acalanes High School, covering 1,429 acres. This area is vulnerable to Diablo winds, which are hot, dry winds blowing down the East Bay hills. This project removes hazardous dead trees, clears vegetation, creates fuel breaks and defensible community spaces, and creates safer ingress and egress corridors. Project participants include the Moraga-Orinda Fire District (MOFD), CAL FIRE, East Bay Municipal Utility District, and the East Bay Regional Park District.

## **Weed Abatement**

County fire personnel make informational presentations to residents throughout the year on the process and importance of weed abatement. As a preventive measure, most fire districts and fire departments in Contra Costa County are expanding their weed abatement programs, which require the removal of vegetative growth and accumulated combustible debris on a homeowner's property. Fire personnel survey the area under their jurisdiction in the spring and document properties that need clearing. They then send notices to property owners describing the required work. Property owners have six to eight weeks to complete the weed abatement. Fire districts and fire departments send follow-up notices to property owners who have not completed the required abatement. If the property owner does not clear their property, the fire districts and fire departments notify their city council or the local Fire Board. The following consequences may apply:

- The property owner is required to attend a public hearing.
- A contractor is hired to clear the property, and the cost is added to the property owner's tax bill.

- A lien is placed on the property to pay for the abatement.

Fire districts and fire departments in the County emphasize the importance of practicing year-round abatement. If property owners do not clear their property, the fire danger increases for surrounding structures and residents in the neighborhood. The fire districts and fire departments may assist individuals, such as seniors, disabled, and low-income property owners, who have difficulty complying with abatement requirements.

## **Hardening of Homes**

Hardening of homes combines landscape and home construction requirements to reduce fire danger. Hardened homes are constructed and modified with fire-resistant building materials, such as a composite, metal, or tile roof. Maintenance practices include keeping rooftops and gutters clean, removing dead vegetation and flammable materials near homes, and avoiding non-native trees in landscaping.

## **New Technology**

New technologies are being used to enhance evacuation efforts, provide early detection of fires, check the depth of the fuel bed, and detect changes in ground temperature that can indicate a fire. Some examples are:

- Routing algorithms: These software programs generate efficient evacuation routes based on the progression of each fire. The program sends information to evacuation personnel and provides alternate routes to use when roads become clogged.
- Satellites: PG&E has deployed its Satellite Fire Detection and Alerting System, which uses data from a combination of five satellites to give PG&E advance notice of potential fires. Fire information is sent to participating Contra Costa County fire districts and fire departments after validating the satellite findings with wildfire alert cameras or information from other agencies. This technology can be used to spot fires in remote areas.
- Drones: UC Berkeley's Space Science Laboratory developed firefighting drone technology to assist in fire management. The drones can take aerial pictures of the ground every few seconds in search of hot spots that can ignite new wildfires. This technology also minimizes false alarms when no fire is present.
- Fire spotting cameras: These land-based cameras are particularly useful when a fire danger exists in a remote expanse of dry vegetation.
- Aerial Laser LiDAR (Light Detection and Ranging): LiDAR is a remote sensing method that uses a pulsing light laser to generate precise, three-dimensional (3D) information about the composition of the fuel bed. 3D simulations help firefighters manage or extinguish fires as safely and economically as possible. LiDAR can provide precise fuel information to help predict where a fire will go next.

- **Ground Sensors:** These sensors monitor an area to detect unusual rises in temperature and transmit information to an appropriate fire station, enabling rapid response to a fire.

The Moraga-Orinda Fire District (MOFD) has piloted some of these new technologies to provide early detection of fires and aid evacuation routing. MOFD employs ground sensors in remote areas that track changes in relative humidity and temperature. These sensors, or the satellite detection system, can alert fire personnel to the beginning of a spot fire. This location information is combined with real-time weather data and fuel bed mapping to predict the fire spread at intervals of 1, 3, and 5 hours. This model is then used to prioritize and sequence evacuation zones, called polygons, most threatened by the fire spread. MOFD is also experimenting with the design of a computer application that could remotely control home sprinkler systems to irrigate vegetation and eaves of homes for an extra level of protection from advancing flames and embers. These emerging technologies provide advanced tools that can aid fire departments in reducing response time, potentially minimizing the scale of a fire event, and reducing the risk of loss of life and property destruction.

## **Evacuation Plans and Shelter-in-Place**

Some communities in Contra Costa County divide their cities into sections called polygons to facilitate evacuation. A more advanced system to evacuate residents during an emergency uses a combination of polygons and routing algorithms. A geographical area is divided into a grid of polygons, on which roads, access points, and evacuation centers are mapped. A routing algorithm is applied to the grid to determine the most efficient evacuation routes for residents. The sizes of the polygons and the routes are flexible during a fire. If a particular route is suddenly blocked, the algorithm will adjust the evacuation routes.

Police departments control evacuation orders and work cooperatively with fire districts and fire departments during a fire. In the event of a major fire that threatens homes, fire personnel will relay the need for evacuation of certain areas to law enforcement, which then issues an evacuation order through the County Community Warning System (CWS). Pre-established polygons, where used, provide efficient identification of which areas to evacuate.

A good evacuation plan allows residents to quickly evacuate while allowing emergency equipment and personnel to reach the fire. The Grand Jury found that not all communities have updated wildfire evacuation plans that utilize new technology. In addition, some areas in Contra Costa County have limited egress routes, such as Discovery Bay and Bethel Island.

Shelter-in-place can be a first step in evacuation while firefighters assess the fire front and available routes for evacuation. Fire districts and fire departments issue shelter-in-place orders in some situations and strongly advise that residents heed all emergency orders.

## **Public Relations and Community Awareness**

Cities and counties use numerous warning systems to inform residents of emergencies in their area. These systems range from the use of outdoor speakers on a truck or car, to local TV and radio Emergency Alert Systems, to internet applications. Most require some form of electrical power to function, and that residents possess the equipment necessary to receive the warnings. Some warning systems require residents to opt-in to receive alerts, such as the Contra Costa Community Warning System (CWS).

The CWS is activated whenever there is an imminent threat to life or health. CWS may use the following tools to alert the public:

- Landlines
- Cell phone, voice messaging, text, and email (upon user registration)
- Public website
- Social media (Facebook and Twitter)
- Sirens
- NOAA weather radios
- Emergency Alert System
- Wireless Emergency Alert System

In addition, individuals can sign up for internet applications that provide alerts:

- Nixle – an application which can send texts and email alerts from local agencies
- Nextdoor – an internet site with neighborhood alerts and news

Warning systems not requiring individuals to opt-in include:

- Emergency Alert System on local TV and radio stations
- Reverse 911 calls (only works with landlines)
- Sirens activated by the CWS, near major industrial facilities and in other special safety zones

Residents who have registered for emergency alerts on all their communication devices are most likely to receive early warnings of emergencies.

## **PG&E's Impact on Fire Districts and Fire Departments**

Fire districts and fire departments in Contra Costa County have found that PG&E does not always inform fire personnel of planned maintenance work.

On October 23, 2019, San Ramon Valley Fire Protection District (SRVFPD) passed Ordinance No. 35. This ordinance prohibits PG&E and any other electrical utility from performing scheduled "non-emergency" work that presents a high fire risk when a Red Flag Warning has been issued. The ordinance gives SRVFPD the ability to pre-position a team at the utility worksite and recover labor and equipment costs for teams overseeing electrical utility work.

On October 10, 2019, during the Public Safety Power Shutoff (PSPS), the Merrill Fire burned in the hills around Moraga, and dozens of residents were evacuated to an emergency shelter. The lack of electric power made the evacuation more difficult. The power shutoffs resulted in a lack of electricity for traffic signals, emergency alerts, and health equipment (oxygen and ventilators) needed by seniors and the disabled.

## **Staffing and Budgeting for East County**

The East Contra Costa Fire Protection District (ECCFPD) has three active fire stations, each with three firefighters on duty at any given time. ECCFPD closed five other fire stations after the 2008 recession. In partnership with the City of Oakley, ECCFPD is currently building a fourth fire station to be opened in 2020.

Due to a lack of funding, the number of fire stations and staffing levels in East Contra Costa Fire Protection District has not been restored to pre-2008 levels. The ECCFPD property tax allocation is 7.5% of the county-wide property tax assessment, compared to the other fire protection districts and fire departments in the County that receive 12% to 30% of the assessment. Within the last five years, ECCFPD put three ballot measures before the electorate to increase the property tax allocation, but all three measures failed.

ECCFPD does not charge property owners for fighting residential, commercial, or vegetation fires. However, to meet the cost of firefighting in the district, ECCFPD does charge for emergency responses involving vehicle accidents and extractions, helicopter landings, illegal fires, hazardous material releases, and water emergencies.

## **FINDINGS**

- F1. During a Red Flag Warning, fire districts and fire departments in Contra Costa County often deploy pre-positioned firefighting strike teams to maximize the ability to respond to wildfires.
- F2. Fire districts and fire departments in Contra Costa County require property owners to perform weed abatement on their property to reduce the risk of fire spread.
- F3. Not all fire districts and fire departments in Contra Costa County use pre-determined polygons and routing algorithms in their evacuation plans.

- F4. Fire districts and fire departments in Contra Costa County recommend that residents comply with law enforcement's orders to evacuate during an emergency.
- F5. Not all fire districts and fire departments in Contra Costa County use new technologies, such as ground sensors, drones, satellites, and fire spotting cameras, for early detection of fires.
- F6. The October 2019 Public Safety Power Shutoff (PSPS) events disrupted emergency response efforts and communications in Contra Costa County.
- F7. Fire districts and fire departments in Contra Costa County are not always informed by PG&E when the utility is performing non-emergency maintenance work that presents a high fire risk during a Red Flag Warning.
- F8. An ordinance passed by the San Ramon Valley Fire Protection District, requiring PG&E to give advance notice of non-emergency maintenance work that presents a high fire risk, enables the fire district to pre-position a team at the utility worksite and recover labor and equipment costs.
- F9. Due to a lack of funding, the number of fire stations and staffing levels in East Contra Costa Fire Protection District has not been restored to pre-2008 levels.

## RECOMMENDATIONS

Note: The Grand Jury conducted the majority of its investigation before Contra Costa County and the State of California issued shelter-in-place orders. The Jury recognizes that County departments, agencies, and cities are currently addressing COVID-19 related matters and the Jury has adjusted implementation dates in the recommendations accordingly.

- R1. The Board of Directors of Contra Costa County Fire Protection District, East Contra Costa Fire Protection District, Rodeo-Hercules Fire Protection District, and San Ramon Valley Fire Protection District should consider directing their Fire Chief to update wildfire evacuation plans and incorporate pre-determined polygons and advanced routing technology, by June 30, 2021.
- R2. The Board of Directors of Contra Costa County Fire Protection District, East Contra Costa Fire Protection District, Moraga-Orinda Fire Protection District, Rodeo-Hercules Fire Protection District, and San Ramon Valley Fire Protection District should consider identifying funds to adopt or expand the use of new technologies, such as ground sensors, drones, satellites, and fire spotting cameras, to help detect fires in high-risk areas, by June 30, 2021.
- R3. The East Contra Costa Fire Protection District Board of Directors should consider identifying options to fund additional fire stations and staff to restore fire services to pre-2008 levels, by June 30, 2021.

- R4. The Board of Directors of Contra Costa County Fire Protection District, East Contra Costa Fire Protection District, Moraga-Orinda Fire Protection District, and Rodeo-Hercules Fire Protection District should review and consider mechanisms, such as the ordinance passed by the San Ramon Valley Fire Protection District, that would enable their fire district to recover labor and equipment costs from PG&E for overseeing electrical utility work that presents a high fire risk, by June 30, 2021.
- R5. The City Councils of El Cerrito, Pinole, and Richmond should consider directing their Fire Chief to update wildfire evacuation plans and incorporate pre-determined polygons and advanced routing technology, by June 30, 2021.
- R6. The City Councils of El Cerrito, Pinole, and Richmond should consider identifying funds to adopt or expand the use of new technologies, such as ground sensors, drones, satellites, and fire spotting cameras, to help detect fires in high-risk areas, by June 30, 2021.
- R7. The City Councils of El Cerrito, Pinole, and Richmond should review and consider mechanisms, such as the ordinance passed by the San Ramon Valley Fire Protection District, that would enable their fire department to recover labor and equipment costs from PG&E for overseeing electrical utility work that presents a high fire risk, by June 30, 2021.

## REQUIRED RESPONSES

	<b>Findings</b>	<b>Recommendations</b>
Contra Costa County Fire Protection District Board of Directors	F1, F2, F3, F4, F5, F6, F7, F8	R1, R2, R4
East Contra Costa Fire Protection District Board of Directors	F1, F2, F3, F4, F5, F6, F7, F8, F9	R1, R2, R3, R4
Moraga-Orinda Fire Protection District Board of Directors	F1, F2, F3, F4, F5, F6, F7, F8	R2, R4
Rodeo-Hercules Fire Protection District Board of Directors	F1, F2, F3, F4, F5, F6, F7, F8	R1, R2, R4
San Ramon Valley Fire Protection District Board of Directors	F1, F2, F3, F4, F5, F6, F7, F8	R1, R2
City of El Cerrito	F1, F2, F3, F4, F5, F6, F7, F8	R5, R6, R7
City of Pinole	F1, F2, F3, F4, F5, F6, F7, F8	R5, R6, R7
City of Richmond	F1, F2, F3, F4, F5, F6, F7, F8	R5, R6, R7

These responses must be provided in the format and by the date set forth in the cover letter that accompanies this report. An electronic copy of these responses in the form of a Word document should be sent by e-mail to [ctadmin@contracosta.courts.ca.gov](mailto:ctadmin@contracosta.courts.ca.gov) and a hard (paper) copy should be sent to:

Civil Grand Jury – Foreperson  
 725 Court Street  
 P.O. Box 431  
 Martinez, CA 94553-0091



A REPORT BY  
THE 2019-2020 CONTRA COSTA COUNTY CIVIL GRAND JURY

725 Court Street  
Martinez, California 94553

Report 2008

**Do Our Public Schools Have  
Adequate Emergency  
Supplies?**

APPROVED BY THE GRAND JURY

Date June 9, 2020

Anne N. Granlund

ANNE N. GRANLUND  
GRAND JURY FOREPERSON

ACCEPTED FOR FILING

Date JUN 09 2020

Anita Santos  
ANITA SANTOS  
JUDGE OF THE SUPERIOR COURT

Contact: Anne Granlund  
Foreperson  
(925) 608-2621

Contra Costa County Grand Jury Report 2008

## **Do Our Public Schools Have Adequate Emergency Supplies?**

**TO: Contra Costa County Superintendent of Schools, Office of  
Education**

**Contra Costa County Board of Education**

**Governing Boards of:**

**Acalanes Union High School District, Antioch Unified  
School District, Brentwood Union School District, Byron  
Union School District, Canyon Elementary School District,  
John Swett Unified School District, Knightsen Elementary  
School District, Lafayette School District, Liberty Union  
High School District, Martinez Unified School District,  
Moraga School District, Mt. Diablo Unified School District,  
Oakley Union Elementary School District, Orinda Union  
School District, Pittsburg Unified School District, San  
Ramon Valley Unified School District, Walnut Creek School  
District, West Contra Costa Unified School District**

### **SUMMARY**

Contra Costa County school districts develop and implement emergency preparedness plans used by school staff during emergencies. Depending on the nature of the emergency, students and staff may become stranded at school for extended periods. Authorities may require students to shelter outdoors if a school building suffers structural damage. During a gun-related event on a school campus, those requiring medical attention may go unattended until first responders (i.e., Police or Fire) arrive.

Adequate preparation for these events includes training and the identification of on-site items schools may need during an emergency. These items include water, food, and medical supplies and equipment.

The Grand Jury investigation focused on the following questions for public school districts:

- Does each school district have a list of emergency supplies?
- What emergency supplies do schools currently have on-site?
- Does each school district have a safety/resource officer?
- What are the funding options for purchasing school emergency supplies?
- Do teachers have Cardiopulmonary Resuscitation (CPR) and First Aid certification training?

The availability of emergency supplies at Contra Costa County schools varies widely from school to school and district to district. The Contra Costa County Office of Education has published a recommended Emergency Supplies list (minimum standard list). Some schools did not demonstrate to the Grand Jury that they have the items on this list, while others met or exceeded the recommendations.

The Grand Jury recommends that Contra Costa County school district boards consider adopting the Office of Education Emergency Supplies list (minimum standard list) for district schools and identifying funding sources to purchase the supplies. The Grand Jury also recommends that the Contra Costa County school district boards should consider developing a plan to identify organizations that provide CPR and First Aid certification refresher training for all district teachers.

## **METHODOLOGY**

The Grand Jury used the following investigative methods:

- Reviewed emergency supply lists and other preparedness information from all 18 school districts in Contra Costa County (see Appendix A for the list of school districts)
- Interviewed representatives from the Contra Costa County Board of Education, the Contra Costa County Office of Education, and Contra Costa County school districts
- Reviewed websites of organizations that support major emergency and disaster recovery efforts

## CONFLICT OF INTEREST DISCLAIMER

One or more jurors recused themselves from this investigation due to possible conflict of interest and did not participate in the investigation, preparation, or approval of this report.

## BACKGROUND

Emergencies affecting Contra Costa County (County) schools could take many forms. A school in the County could be locked down due to an intruder or gunfire, requiring students to stay inside the building for many hours. A hazardous material spill could occur near a school, requiring students and staff to shelter-in-place with doors and windows closed, and heating/air-conditioning systems turned off. Following an emergency that affects the physical integrity of a building, school staff may need to care for students outside the building structure. If an emergency affects an entire community, first responders may not arrive for hours.

After a disaster, students may not be able to return home until the roads and transportation systems are restored. Teachers and school staff are legally responsible for protecting and caring for students until they are able to safely leave the school.

The California Civil Code and the California Education Code address legal requirements regarding school emergency preparedness:

- Section 3100 of the Civil Code states that all public employees are considered disaster service workers during an emergency. Depending on the circumstances, school district employees may have additional obligations as disaster service workers.
- California Education Code sections 32280-32289 cover public schools and require that:
  - All schools develop a comprehensive school safety plan that addresses disaster procedures, including earthquake response, crime, and violence committed on school premises
  - All school staff be trained on these plans and procedures

School district administrators ensure that employees meet these legal requirements by developing and implementing school emergency preparedness plans. The emergency preparedness plans typically include storing an emergency minimum supply of water, food, and medical supplies and equipment.

In addition to emergency care obligations, the State of California requires all teachers to complete Cardiopulmonary Resuscitation (CPR) training to obtain their teaching credentials. The California Education Code, Section 4422, states:

... it is the intent of the Legislature to encourage teachers to engage in an individual program of professional growth that extends their content knowledge and teaching skills and for school districts to establish professional growth programs that give individual teachers a wide range of options to pursue as well as significant roles in determining the course of their professional growth ... An individual program of professional growth may include a basic course in cardiopulmonary resuscitation ... [that] meets or exceeds the standards established by the American Heart Association or the American Red Cross for courses in that subject or minimum standards for training programs established by the Emergency Medical Services Authority. An individual program of professional growth may also include a course in first aid that meets or exceeds the standards established by the American Red Cross for courses in that subject or minimum standards for training programs established by the Emergency Medical Services Authority.

Pending California Assembly Bill 1214 would make it mandatory for public school districts to offer CPR and First Aid certification refresher training to teachers.

This investigation examined what emergency supplies are stored at public schools in the County, excluding charter schools and other education programs directly served by the Contra Costa County Office of Education. The investigation also examined how schools fund the cost of these supplies, whether each school district has a safety/resource officer, and whether CPR and First Aid certification training is currently offered to teachers.

## **DISCUSSION**

According to the Contra Costa County Office of Education (CCCOE) website, there are 178,000 students in the County, in 292 schools within 18 school districts. The San Ramon Valley Unified School District is the largest in the County with 32,000 students. The smallest school district is Canyon Elementary School District with 68 students.

The CCCOE is responsible for assisting individual school districts in the County. The CCCOE website states:

The CCCOE provides direct support services to the County's most vulnerable students, including adults and young people who are incarcerated, homeless, or in foster care, as well as students who have severe physical or emotional challenges. CCCOE provides support services to schools and school districts in Contra Costa County – services that can be handled most effectively and economically on a regional basis, rather than by each of the county's 18 school districts. These services range from budget approval and fiscal support, to technology infrastructure and communication support.

While the CCCOE may assist individual school districts, the school district boards are responsible for setting their own safety-related requirements. Contra Costa County schools and school districts must be prepared to care for students and staff during emergencies. California Education Code, Section 32822 mandates that comprehensive school safety plans shall include, but not be limited to:

- Disaster procedures, routine and emergency, including adaptations for pupils with disabilities in accordance with the federal Americans with Disabilities Act of 1990
- A school building disaster plan, ready for implementation at any time, for maintaining the safety and care of pupils and staff
- Establishing an earthquake emergency procedure system in every public school building having an occupant capacity of 50 or more pupils or more than one classroom

Although these plans typically include storing an emergency minimum supply of water, food, and medical supplies and equipment, the California Education Code does not specifically mandate that schools maintain minimum emergency supplies.

Since the State of California does not specify what emergency supplies schools should maintain, the CCCOE offers a list of recommended minimum standards to the County school districts. Because this list is a recommendation rather than a requirement, each school district determines which supplies it will maintain. The districts may choose to adopt all or part of the Office of Education's minimum standard list (Appendix E), or they may look to other emergency supplies lists such as:

- The American Red Cross list of school emergency supplies, developed after the California Senate Northridge Earthquake Task Force report (Appendix B)
- The list published by the Emergency Medical Services Authority, California Health & Human Services Agency (Appendix C)
- The Los Angeles Unified School District emergency supplies list (Appendix D)

The three emergency supply lists referenced above contain more items than the minimum list recommended by CCCOE.

The Grand Jury requested that each of the 18 school districts in Contra Costa County provide its list of emergency supplies and the funding source for those supplies.

All County school districts reported that they have emergency supplies in their schools. Most school districts in the County provided the list of supplies they store. However, some school districts did not identify the specific items on their list.

Based on the lists that were provided by the school districts, emergency on-site school supplies vary from district to district – from extensive to minimal – with no consistency. Furthermore, what they store does not necessarily conform to the emergency supplies list recommended by the CCCOE. San Ramon Valley Unified and Orinda Union school districts met or exceeded the supplies recommended by CCCOE.

## **Funding**

School districts make their own decisions about the purchase of emergency supplies. Funding sources for Contra Costa County school districts to purchase emergency supplies vary by district. Some school districts fund these supplies as a line item in their annual budgets. Most school districts, however, fund them through parent or community donations.

School districts can apply for federal, state, corporate, non-profit, and local service organization grants to supplement funding for emergency supplies. Examples of organizations that may award grants include the Sandy Hook Foundation, the Federal Emergency Management Agency (FEMA), and the American Red Cross. Currently, no Contra Costa County school district funds supplies through such grants.

CCCOE may choose to apply for block grants on behalf of school districts to minimize duplication of effort. A block grant is a consolidated grant of federal funds allocated for specific programs that a state or local government can use at its discretion for such programs as education or urban development. If funded, a block grant could facilitate the bulk purchase of supplies to be distributed to school districts.

## **Safety/Resource Officers**

The Grand Jury found that most County school districts have designated safety/resource officers. These safety officers work with school district superintendents to assist in planning, control, and direction of school security and safety projects and services. They work with school principals and local law enforcement agencies to develop school site safety plans. Some school districts do not have designated safety/resource officers due to budgetary constraints or due to the small size of the school district. In those districts, the superintendent takes the lead on safety measures and activities and works with school principals to develop and review school site safety plans.

## Certification Requirements

Teachers in California are required to obtain CPR and First Aid certifications to receive their teaching credential; however, the California Education Code does not mandate that teachers renew their CPR and First Aid certifications even though they are considered disaster workers in emergencies. The California Education Code only encourages school districts to establish a basic CPR course. The Grand Jury found no evidence that CCCOE or school districts currently require CPR and First Aid certification training or renewal beyond the State teaching credential requirement.

Pending California legislation AB 1214 would make it mandatory for school districts to offer CPR and First Aid certification refresher training.

## FINDINGS

- F1. The California Education Code does not specify the type of supplies schools should maintain for emergencies.
- F2. Each Contra Costa County school district determines its own emergency preparedness plans (based on California State Education Department guidelines), including the amount and type of emergency supplies to maintain at its schools.
- F3. The Contra Costa County Office of Education posts on its website a recommended list (minimum standard list) of emergency supplies for school districts.
- F4. Some Contra Costa County school districts did not demonstrate that they maintain supplies in conformity with the Contra Costa County Office of Education minimum standard list.
- F5. Some Contra Costa County school districts fund purchasing and replenishment of emergency supplies through their annual budgets, but most school districts in Contra Costa County fund them through parent or community donations.
- F6. Contra Costa County school districts can apply for federal, state, corporate or non-profit organization grants to help pay for the cost of acquiring and maintaining school emergency supplies.
- F7. Each Contra Costa County school district has either a designated safety/resource officer or a school administrator who fills the safety/resource officer role.

- F8. There is no legal requirement that teachers renew CPR and First Aid certification training after teachers initially obtain their teaching credential.

## **RECOMMENDATIONS**

Note: The Grand Jury conducted the majority of its investigation before Contra Costa County and the State of California issued shelter-in-place orders. The Jury recognizes that County departments, agencies, and cities are currently addressing COVID-19 related matters and the Jury has adjusted implementation dates in the recommendations accordingly.

- R1. Each Contra Costa County school district board should consider adopting the Contra Costa County Office of Education Emergency Supplies list (minimum standard list) for its schools and identifying funding sources to purchase the supplies, by December 31, 2020.
- R2. The Contra Costa County Board of Education and the Contra Costa County Office of Education should consider assisting school districts by identifying and applying for federal, state, corporate, and non-profit organization grants that fund the acquisition of school emergency supplies, by June 30, 2021.
- R3. The Contra Costa County school district boards should consider applying for federal, state, corporate, and non-profit organization grants to fund the acquisition of school emergency supplies, by June 30, 2021.
- R4. Each Contra Costa County school district board should consider developing a plan to identify organizations that provide CPR and First Aid certification refresher training for district teachers, by December 31, 2020.
- R5. Each Contra Costa County school district board should consider developing a plan to identify funding, if necessary, to provide CPR and First Aid certification refresher training for district teachers, by December 31, 2020.
- R6. The Contra Costa County Board of Education and the Contra Costa County Office of Education should consider applying for federal, state, corporate, and non-profit organization grants to fund voluntary CPR and First Aid certification refresher training for teachers, by June 30, 2021.

## REQUIRED RESPONSES

	<b>Findings</b>	<b>Recommendations</b>
Contra Costa County Superintendent of Schools, Office of Education	F1, F2, F3, F6, F7, F8	R2, R6
Contra Costa County Board of Education	F1, F2, F3, F6, F7, F8	R2, R6
Governing Board of Acalanes Union High School District	F1, F2, F3, F4, F5, F6, F7, F8	R1, R3, R4, R5
Governing Board of Antioch Unified School District	F1, F2, F3, F4, F5, F6, F7, F8	R1, R3, R4, R5
Governing Board of Brentwood Union School District	F1, F2, F3, F4, F5, F6, F7, F8	R1, R3, R4, R5
Governing Board of Byron Union School District	F1, F2, F3, F4, F5, F6, F7, F8	R1, R3, R4, R5
Governing Board of Canyon Elementary School District	F1, F2, F3, F4, F5, F6, F7, F8	R1, R3, R4, R5
Governing Board of John Swett Unified School District	F1, F2, F3, F4, F5, F6, F7, F8	R1, R3, R4, R5
Governing Board of Knightsen Elementary School District	F1, F2, F3, F4, F5, F6, F7, F8	R1, R3, R4, R5
Governing Board of Lafayette School District	F1, F2, F3, F4, F5, F6, F7, F8	R1, R3, R4, R5
Governing Board of Liberty Union High School District	F1, F2, F3, F4, F5, F6, F7, F8	R1, R3, R4, R5
Governing Board of Martinez Unified School District	F1, F2, F3, F4, F5, F6, F7, F8	R1, R3, R4, R5
Governing Board of Moraga School District	F1, F2, F3, F4, F5, F6, F7, F8	R1, R3, R4, R5
Governing Board of Mt. Diablo Unified School District	F1, F2, F3, F4, F5, F6, F7, F8	R1, R3, R4, R5

Governing Board of Oakley Union Elementary School District	F1, F2, F3, F4, F5, F6, F7, F8	R1, R3, R4, R5
Governing Board of Orinda Union School District	F1, F2, F3, F5, F6, F7, F8	R3, R4, R5
Governing Board of Pittsburg Unified School District	F1, F2, F3, F4, F5, F6, F7, F8	R1, R3, R4, R5
Governing Board of San Ramon Valley Unified School District	F1, F2, F3, F5, F6, F7, F8	R3, R4, R5
Governing Board of Walnut Creek School District	F1, F2, F3, F4, F5, F6, F7, F8	R1, R3, R4, R5
Governing Board of West Contra Costa Unified School District	F1, F2, F3, F4, F5, F6, F7, F8	R1, R3, R4, R5

These responses must be provided in the format and by the date set forth in the cover letter that accompanies this report. An electronic copy of these responses in the form of a Word document should be sent by e-mail to [ctadmin@contracosta.courts.ca.gov](mailto:ctadmin@contracosta.courts.ca.gov) and a hard (paper) copy should be sent to:

Civil Grand Jury – Foreperson  
725 Court Street  
P.O. Box 431  
Martinez, CA 94553-0091

## APPENDICES

### Appendix A – School Districts in Contra Costa County

- Acalanes Union High School District
- Antioch Unified School District
- Brentwood Union School District
- Byron Union School District
- Canyon Elementary School District
- John Swett Unified School District
- Knightsen Elementary School District
- Lafayette School District
- Liberty Union High School District
- Martinez Unified School District
- Moraga School District
- Mt. Diablo Unified School District
- Oakley Union Elementary School District
- Orinda Union School District
- Pittsburg Unified School District
- San Ramon Valley Unified School District
- Walnut Creek School District
- West Contra Costa Unified School District

## **Appendix B – American Red Cross Emergency School Supply Lists**

[https://www.ok.gov/okohs/docs/Recommended\\_Emergency\\_Supplies\\_Schools.pdf](https://www.ok.gov/okohs/docs/Recommended_Emergency_Supplies_Schools.pdf)

American Red Cross Recommended Emergency Supplies for Schools (drawn from lists created by the California Senate Select Committee on the Northridge Earthquake, Task Force on Education, August 1994)

## **Appendix C – Emergency Medical Services Authority Emergency School Supply List**

[https://emsa.ca.gov/wp-content/uploads/sites/71/2017/07/EMSA\\_196-SchoolGuidelines\\_Final.pdf](https://emsa.ca.gov/wp-content/uploads/sites/71/2017/07/EMSA_196-SchoolGuidelines_Final.pdf)

Emergency First Aid Guidelines for California Schools

Emergency Medical Services Authority, California Health and Human Services Agency

## **Appendix D Los Angeles Unified School District Emergency School Supply List**

<https://achieve.lausd.net/cms/lib/CA01000043/Centricity/Domain/416/36.2%20BUL-5451.1%20School%20Emergency%20Disaster%20Supplies.pdf>

Los Angeles Unified School District Reference Guide  
13 April 11, 2013  
TITLE: School Site Emergency/Disaster Supplies  
NUMBER: REF- 5451.1

**Appendix E Contra Costa County Office of Education Emergency Supplies List  
(minimum standard list)**



**CONTRA COSTA COUNTY  
Office of Education  
Emergency Supplies (minimum standard list)**

**School Office Evacuation Supplies**

- Student roster, emergency contact information, and staff roster in the form of a sign-in/sign-out sheet
- Safety Team reflective vests
- Whistles
- List of emergency telephone numbers (public safety, hospital, school district, etc.)
- COE-provided walkie-talkies/radios
- Pens, pencils, or wax markers
- Copy of school's "Standard Response Protocol"
- First aid kit
- First aid instruction manual
- Medical gloves
- Battery-operated flashlight or light sticks
- Extra batteries
- Speaker or megaphone
- Utility turnoff wrench/procedures

**School Storage Container (Evacuate/Shelter)**

- Water supply [55-gallon drum/AquaBlox (25% of enrollment)]
- Battery-operated or crank radio
- Folding table/folding chairs
- Space/protective blankets
- Caution Tape
- Duct Tape
- Portable toilets/makeshift toilets
- Garbage bags/plastic disposal bags for toilets
- Sanitary items (toilet paper & towelettes)
- Work gloves
- Plastic sheeting or standard tarps
- Hard hats/safety glasses
- Dust masks
- Lighter

- Sledge hammer/regular hammer
- Pry bar/wonder bar/bolt cutters/screwdriver set
- Broom/dust pan
- Multipurpose tool/wrench or pliers/utility knife
- Privacy screen(s)
- Rope
- Stretcher/full-body rigid backboard

**Classroom Supplies (Evacuation Supplies)**

- Bucket/portable container for supplies (bucket may also act as makeshift toilet)
- Clipboard with—
  - List of classroom students
  - List of students with special needs and description of needs (i.e. medical issues, prescription medicines, dietary needs), marked confidential.
- Whistle and vest for teacher
- First aid kit (1)
- Medical gloves (2 pair, latex-free)
- Garbage bags (5)
- Battery-powered flashlight
- Batteries
- Space blankets (2)
- Copy of school's "Standard Response Protocol"

**Classroom Supplies (Shelter)**

- Food (i.e. food bars/self-supplied food bags)
- Water
- Sanitary items (towelettes & toilet paper)
- Work gloves (1 pair)
- Breathing masks (30)
- Duct tape (1 roll)
- Emergency candles/matches (or lightstick)

