COUNTY OF HUMBOLDT

For the meeting of: 8/13/2024

File #: 24-1170

To: Board of Supervisors

From: County Administrative Office

Agenda Section: Departmental

Vote Requirement: Majority

SUBJECT:
Fiscal Year 2023-24 Grand Jury Responses: "Humboldt County Facilities: Owning vs. Leasing" and "Humboldt County Custody & Corrections Facilities" and Formation of a Humboldt County Sheriff's Office Oversight Work Group

RECOMMENDATION(S):
That the Board of Supervisors:

1. Review and modify as necessary the proposed Grand Jury responses from the Board of Supervisors (Attachments 2 and 4);
2. Approve the documents, as may be modified, as the response;
3. Direct the Clerk of the Board, within 5 working days, to submit two copies of all attached responses to the County Clerk/Recorder, together with a copy of the original report; and
4. Direct the Clerk of the Board, within 5 working days, to submit two copies of attached responses to the Clerk of the Court, one of which will be forward to the State Archivist, together with a copy of the original report.
5. Provide direction on the formation of a Humboldt County Sheriff's Office Oversight Work Group.

STRATEGIC PLAN:
This action supports the following areas of your Board's Strategic Plan.

Area of Focus: Core Services/Other
Strategic Plan Category: 9999 - Core Services/Other

DISCUSSION:
The Humboldt County Civil Grand Jury investigates and reports on the operations, accounts and records of the officers, departments or functions of the County of Humboldt and other local government agencies. The county thanks the Grand Jury for its hard work and efforts its members have put forth in their 2023-24 Grand Jury reports. To date, the Humboldt County Civil Grand Jury has submitted eight reports to the Presiding Judge of the Superior Court, of which six pertained to and were received by the County of Humboldt. Your Board provided responses to one report on July 23, 2024, and two reports that require responses from your Board are before your Board today.

The reports that will be discussed and require responses from your Board are as follows:

- "Humboldt County Facilities" Owning vs. Leasing" (Attachment 1)
- "Humboldt County Custody & Corrections Facilities" (Attachment 3)

For informational purposes, included in the attachments are responses to the "Humboldt County Custody & Corrections Facilities" report provided by the Humboldt County Sheriff (Attachment 5). Responses to this report from the Sheriff have already been received by the presiding judge and Grand Jury. Your Board is not required to approve the Sheriff's responses related to this report,

per California Penal Code Section 933.05.

As noted, on July 23, 2024, your Board received a report from staff with proposed responses to the Humboldt County Civil Grand Jury's Fiscal Year 2023-24 report titled, "Humboldt County Sheriff's Office: Is a Lack of Oversight Due to a Lack of Foresight?" Your Board approved responses to this report including the responses to the following recommendations:

- By Dec. 31, 2025, the Humboldt County Board of Supervisors enact a county ordinance pursuant to Government Code section 25303.7 to create and fund a Humboldt County Sheriff's Office Civilian Oversight Board with subpoena power and subject to the Brown Act.

- By Dec. 31, 2025, the Humboldt County Board of Supervisors, pursuant to Government Code section 25303.7, create and fund a Humboldt County Sheriff's Office of Inspector General with subpoena power.

Pursuant to California Government Code Section 25303, the Board of Supervisors has a statutory duty to supervise the conduct of all county officers, which includes elected officials such as the Sheriff, and see that they faithfully perform their duties. That same code states that Board shall not obstruct the investigatory functions of the Sheriff. Additionally, California Government Code Section 25303.7 entrusts boards of supervisors with discretion to provide for oversight of the county Sheriff by creating an Oversight Board, an Inspector General or both.

Regarding the Grand Jury's recommendations and your Board's approved responses to this report, your Board determined that it was appropriate to further research and evaluate the necessity of each recommendation by establishing a work group.

The work group would be charged with researching models for civilian and independent oversight of the Humboldt County Sheriff's Office. The work group will also research related costs and potential funding opportunities for the creation of a Humboldt County Sheriff's Office Civilian Oversight Board and/or Office of Inspector General. As the county is facing a budget shortfall of more than $15 million in fiscal year (FY) 2024-25, the work group will also consider not implementing these recommendations due to financial and staff constraints.

The work group could potentially allow for greater participation from interested and/or affected parties and the community in the conversation surrounding civilian or independent oversight of the Humboldt County Sheriff's Office. Work group participants will be established at the discretion of your Board.

Initial research conducted by the work group and their recommendations will be presented to your Board by Oct. 30, 2024, pursuant to California Penal Code Section 933.05, which mandates specific requirements for responding to Civil Grand Jury reports.

SOURCE OF FUNDING:
General Fund (1100)

FINANCIAL IMPACT:
There is no financial impact to providing a response to Civil Grand Jury reports. Some individual responses may require expenditures. While there is no financial impact to form a work group, staff participation will have financial impacts.

STAFFING IMPACT:
Some individual responses to these Grand Jury reports may impact staff with increased workload. Staff participation in the work group will impact staff with increased workload.

OTHER AGENCY INVOLVEMENT:
Those referenced in the Grand Jury report. Any other agencies your Board would like to participate in the work group.

ALTERNATIVES TO STAFF RECOMMENDATIONS:
The Board may elect to modify any response pertaining to matters under its control.

ATTACHMENTS:
1. "Humboldt County Facilities: Owning vs. Leasing" Report

2. Board of Supervisors Proposed Responses for “Humboldt County Facilities: Owning vs. Leasing” Report
3. “Humboldt County Custody & Corrections Facilities” Report
4. Board of Supervisors Proposed Responses for “Humboldt County Custody & Correctional Facilities” Report
5. Sheriff’s Response to “Humboldt County Custody & Correctional Facilities” Report
6. “Humboldt County Sheriff’s Office: Is a Lack of Oversight Due to a Lack of Foresight?” Report
7. Board of Supervisors Response to “Humboldt County Sheriff’s Office: Is a Lack of Oversight Due to a Lack of Foresight?” Report

PREVIOUS ACTION/REFERRAL:
Meeting of: July 23, 2024
File No.: 24-1094