EXHIBIT 2

ILLEGAL DUMPING IN OAKLAND: CITY BURIED UNDER TRASH

NEWARK UNIFIED SCHOOL DISTRICT REVISITED: UNRESOLVED PROBLEMS AND NEW CHALLENGES

A CALL FOR READINESS: IMPROVING THE CITY OF ALAMEDA'S EMERGENCY PREPAREDNESS

JAIL INSPECTIONS

2025-2026
Alameda County Grand Jury
Final Report

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2025-2026
ALAMEDA COUNTY GRAND JURY
FINAL REPORT

Rene C. Davidson Courthouse, Oakland, California

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ALAMEDA COUNTY GRAND JURY
1401 Lakeside Drive, Suite 1104 Oakland, California 94612
Phone: 510-272-6259 | email: grandjury@acgov.org
Website: acgov.org/grandjury

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TABLE OF CONTENTS

TABLE OF CONTENTS	
Alameda County Board of Supervisors	2
Grand Jury Foreperson's Letter	5
Grand Jury Members	7
Grand Jury Officers, Presiding Judge of the Superior Court, Grand Jury Legal Staff	8
Grand Jury Committee Assignments	9
Grand Jury Photographs	10
Illegal Dumping in Oakland: City Buried Under Trash	12
Newark Unified School District Revisited: Unresolved Problems and New Challenges	38
A Call for Readiness: Improving the City of Alameda's Emergency Preparedness	57
Jail Inspections	74
About the Grand Jury	80
How to Respond to Findings and Recommendations	85

Alameda County
Grand Jury

1401 Lakeside Drive
Suite 1104
Oakland, California 94612

510.272.6259
fax 510.465.9647
www.acgov.org/grandjury

June 15, 2026

Honorable Michael Markman, Presiding Judge
Alameda County Superior Court
1225 Fallon Street, Department One
Oakland, CA 94512

Dear Judge Markman:

The 2025-2026 Alameda County Civil Grand Jury is pleased to forward our final report to the Superior Court and the citizens of Alameda County. As you know, each year the Civil Grand Jury reviews, investigates, and reports on citizen complaints regarding local government, including both county and municipal jurisdictions. The Civil Grand Jury is an extremely constructive institution, one that fosters government accountability, citizen engagement, and opportunities for improved government performance. The Civil Grand Jury's central purpose is to offer ideas and recommendations for improving the functions of government, with the goal of making it more effective.

At the beginning of our term on July 1, 2025, we considered 38 complaints. After preliminary research on each of these, we determined ten complaints warranted further investigation which resulted in three completed reports on the following issues:

- Illegal dumping in Oakland
- Continued dysfunction within the Newark Unified School District
- The city of Alameda's emergency preparedness planning and its communications with the public about those plans

Our hope is that these reports will make a meaningful difference on these issues, helping the responsible government agencies to be more effective in the future.

In addition, we conducted compulsory inspections (and provided reports) at the Juvenile Justice Center Detention Facility and the in-custody holding cells at the Wiley Manuel Courthouse, East County Hall of Justice, and Rene C. Davidson Courthouse. The Grand Jury also toured Santa Rita Jail, which has been under a court ordered consent decree.

This year's Civil Grand Jury interviewed over 100 witnesses. While we are reporting on three investigations in this year's report, the Jury reviewed myriad issues that are not being formally reported on. In some situations, the Jury conducted months-long investigations and ultimately discovered the issue was either being handled by local government and already in the process of making changes that will benefit the public, or was an issue better handled by the court system. While not all of our investigations resulted in a report, it is worth noting that our conversations with local leaders helped them better understand various public concerns throughout the county.

It has been a privilege to serve as the 2025-26 foreperson, working with my 18 volunteer colleagues on this year's panel. Each of them made a generous commitment of time and energy, contributing hundreds of hours to complete the mission of the Civil Grand Jury. Throughout the process they brought their knowledge, experience, and a strong desire to advance the public good. My sincere thanks to all of them for their work on this year's panel.

I want to offer my sincere thanks to Cassie Barner, former Senior Program Specialist and Grand Jury Administrator, and Assistant District Attorney Casey Bates, both of whom provided tremendous support of our work. Ms. Barner has retired after decades of public service to Alameda County and administrative leadership for the Grand Jury. This entire effort would not have been possible without their invaluable assistance.

In closing, I am very pleased to present the 2025-2026 Civil Grand Jury report. We hope it will lead to constructive problem solving around the issues we addressed.

Sincerely,

Rick Smith, Foreperson
2025-2026 Alameda County Grand Jury

2025-2026

ALAMEDA COUNTY GRAND JURY MEMBERS

Name	City
Adams, Cynthia	San Leandro
Bethune, Sandra	Oakland
Carroll, Andrea	Berkeley
Creekmore, Roy	Alameda
Fujioka, Donna	Oakland
Grube, Peter	Oakland
Jackson, Bob	Alameda
Lynd, Paul*	Livermore
Marcus, Daniel	Berkeley
Maxwell, Miriam	Berkeley
McDaniel, Patricia	Oakland
Priest, Clancy	Dublin
Rogers, Edward	Oakland
Seto, Larissa	Albany
Smith, Rick*	Piedmont
Soublet, Bruce	Oakland
Tal, Sirkku	Alameda
Williams, Towanna	Oakland

**Holdover jurors per Presiding Judge Thomas Nixon*

Jurors who withdrew during the term: Matt Gurrola (Pleasanton), Carla Marinucci (Oakland), and Stephanie Sanchez (Livermore).

2025-2026 ALAMEDA COUNTY GRAND JURY OFFICERS AND LEGAL STAFF

GRAND JURY OFFICERS

Foreperson:	Rick Smith
Foreperson Pro Tem:	Roy Creekmore
Secretary:	Andrea Carroll
Secretary Pro Tem:	Miriam Maxwell
Sergeant at Arms:	Towanna Williams

PRESIDING JUDGE OF THE SUPERIOR COURT

Honorable Michael Markman
January 1, 2026 - Present

Honorable Thomas Nixon
January 1, 2024 – December 31, 2025

GRAND JURY LEGAL STAFF

Grand Jury Legal Advisor:
Casey Bates, Assistant District Attorney

Grand Jury Paralegal/Administrator:
Cassie Barner, Senior Program Specialist
Haaziq Madyun, Management Specialist

2025-2026 ALAMEDA COUNTY GRAND JURY COMMITTEE ASSIGNMENTS

GOVERNMENT

Paul Lynd, *Chair*
Roy Creekmore
Bob Jackson
Daniel Marcus
Clancy Priest, *Chair Pro Tem*
Edward Rogers, *Co-Secretary*
Larissa Seto, *Secretary Pro Tem*
Bruce Soublet, *Co-Secretary*

LAW & JUSTICE

Larrisa Seto, *Chair*
Cynthia Adams
Sandra Bethune, *Co-Secretary*
Andrea Carroll, *Secretary Pro Tem*
Donna Fujioka
Peter Grube, *Co-Secretary*
Miriam Maxwell
Bruce Soublet, *Chair Pro Tem*

HEALTH & SOCIAL SERVICES

Daniel Marcus, *Chair*
Sandra Bethune, *Secretary Pro Tem*
Donna Fujioka
Peter Grube
Bob Jackson, *Chair Pro Tem*
Paul Lynd
Patricia McDaniel, *Secretary*
Sirikku Tal
Towanna Williams

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Roy Creekmore, *Chair*
Cynthia Adams
Andrea Carroll
Miriam Maxwell, *Secretary Pro Tem*
Patricia McDaniel, *Chair Pro Tem*
Clancy Priest
Edward Rogers, *Co-Secretary*
Sirikku Tal
Towanna Williams, *Co-Secretary*

EDIT COMMITTEE

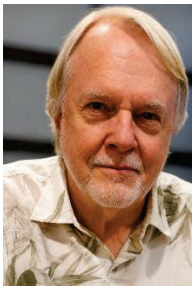
Clancy Priest
Rick Smith
Bruce Soublet

2025-2026 ALAMEDA COUNTY GRAND JURY MEMBERS

Cindi Adams

Sandra Bethune

Andrea Carroll

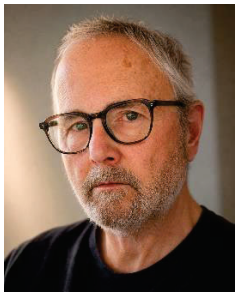

Roy Creekmore

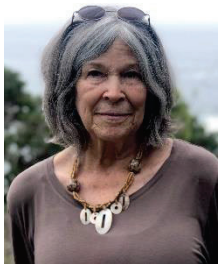
Donna Fujioka

Peter Grube

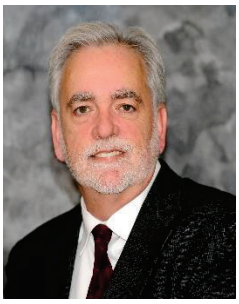
Bob Jackson

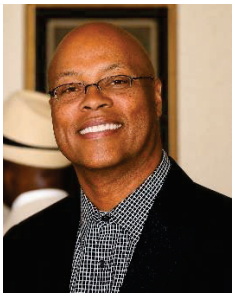
Paul Lynd


Daniel Marcus

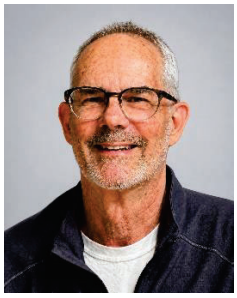

Miriam Maxwell

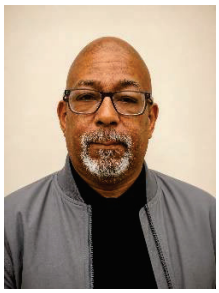
Patricia McDaniel


Clancy Priest


Edward Rogers

Larissa Seto


Rick Smith


Bruce Soublet

Sirkku Tal

Towanna Williams

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ILLEGAL DUMPING IN OAKLAND: CITY BURIED UNDER TRASH

EXECUTIVE SUMMARY

The City of Oakland faces a massive illegal dumping problem. What was once a mere littering problem has become, as one city official told the Grand Jury, "Piles of dumped material on street corners." These piles total about 20 million pounds of debris collected by the city, or about 47 pounds per resident! Given this overwhelming and persistent problem, the Grand Jury investigated illegal dumping in Oakland and the city's response.

In its investigation, the Grand Jury interviewed numerous witnesses at different levels. They included current and former city councilmembers, other elected officials, and officials from the city administrator's office, the city attorney's office, the Public Works and Police Departments, OAK311, and Alameda County, as well as an experienced community volunteer. The Grand Jury also reviewed records and documents from the Public Works Department, the city administrator's office, the city attorney's office, OAK311, the city council, the city auditor, and the legislature.

Unfortunately, illegal dumping has no single cause or solution. In a city already struggling financially, Oakland is estimated to have spent about $25 million on cleanup and related actions. The cost of dumping also extends far beyond budget numbers. It significantly affects Oakland's economy, reputation, and environment, as well as residents' health, safety, and quality of life.

Oakland's approach to illegal dumping has been the "Three E's": Education, Eradication, and Enforcement. The Grand Jury identified deficiencies in all three areas:

- Education: Oakland has failed to adequately inform its residents about the availability of free bulky-waste disposal services. These services have been chronically underused.

- Eradication: Keep Oakland Clean and Beautiful (KOCB), the primary agency responsible for eradicating illegal dumping, has been hampered by overtime restrictions, diversion of resources to homeless encampment cleanups, and persistent vehicle and equipment issues.

- Enforcement: Enforcement against illegal dumping has been wholly inadequate. The authorized fine for illegal dumping has been too minimal to deter the behavior. The number of citations issued by the city's Environmental Enforcement Officers (EEOs) has been insufficient, and the collection rate on those citations has been unacceptably low. Oakland has not referred any illegal dumping cases to the Alameda County District

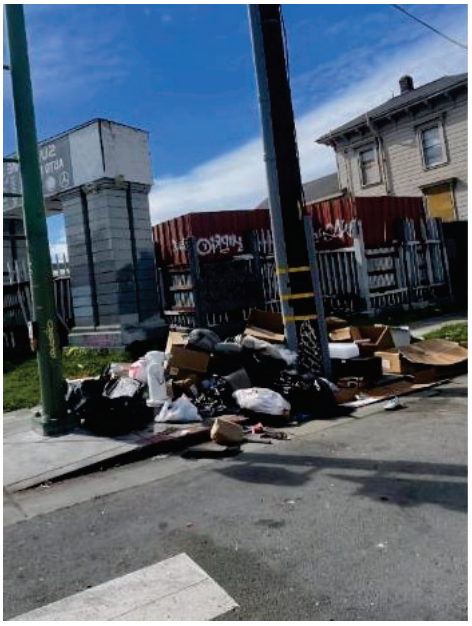
Attorney's office for criminal prosecution in the last several years, and it filed only one civil action for illegal dumping during that time.

Given that dumping is a multifaceted problem that requires a coordinated response across multiple city departments focused on the proper implementation of the "Three E's," Oakland needs a single point person to coordinate and manage these efforts.

BACKGROUND

A Massive and Intractable Problem

Oakland contracts with Waste Management of Alameda County, Inc., for waste collection under a franchise agreement that runs until 2030. The city also contracts with California Waste Solutions for recycling collection. Despite these services, city officials uniformly portrayed illegal dumping as a major problem. One official explained that Oakland has "many, many, many locations where, as quickly as we can pick up the debris, it returns within 24 hours or sooner." Another witness described some Oakland streets as "literally like a mini landfill." City officials characterized the situation to the Grand Jury as "a tragedy," "totally disgusting," and "one of the most intractable problems in Oakland." One city official even compared the situation to scenes from refugee camps in another country.



Illegal dumping, including furniture, on sidewalks in Oakland.

The problem has worsened over time. In 2015, the city picked up less than 3.2 million pounds of waste. By 2019, that figure had grown to approximately 20 million pounds of refuse collected each year, and that figure could be even higher if the city had more capacity to remove the waste. To put 20 million pounds of waste collected into perspective, that amounts to 47 pounds for each of Oakland's 426,000 residents! While the problem plagues the city as a whole, it is

especially acute in parts of the flatlands in council districts 3 (West Oakland) and 6 and 7 (East Oakland).

Hotspot of illegal dumping in Oakland.

The Three E's Education, Eradication, and Enforcement

The Grand Jury learned that Oakland's current approach to combating illegal dumping focuses on the "Three E's": Education, Eradication, and Enforcement.

Witnesses consistently emphasized that eradication, or cleaning up waste, alone is not an appropriate strategy. They contend that focusing exclusively on eradication creates the impression that the city will simply pick up illegally dumped trash which, in turn, leads to more illegal dumping, resulting in an endless free sanitation service. Thus, they argued that education and enforcement are also required to prevent and deter dumping. The Grand Jury agrees.

Education
The Grand Jury learned that the city has undertaken efforts to educate residents about proper disposal and the provision of free bulky waste services. Yet many residents remain unaware of these services, as discussed below. The city has not issued general messages, such as billboards or other ads, about illegal dumping or its harmful consequences.

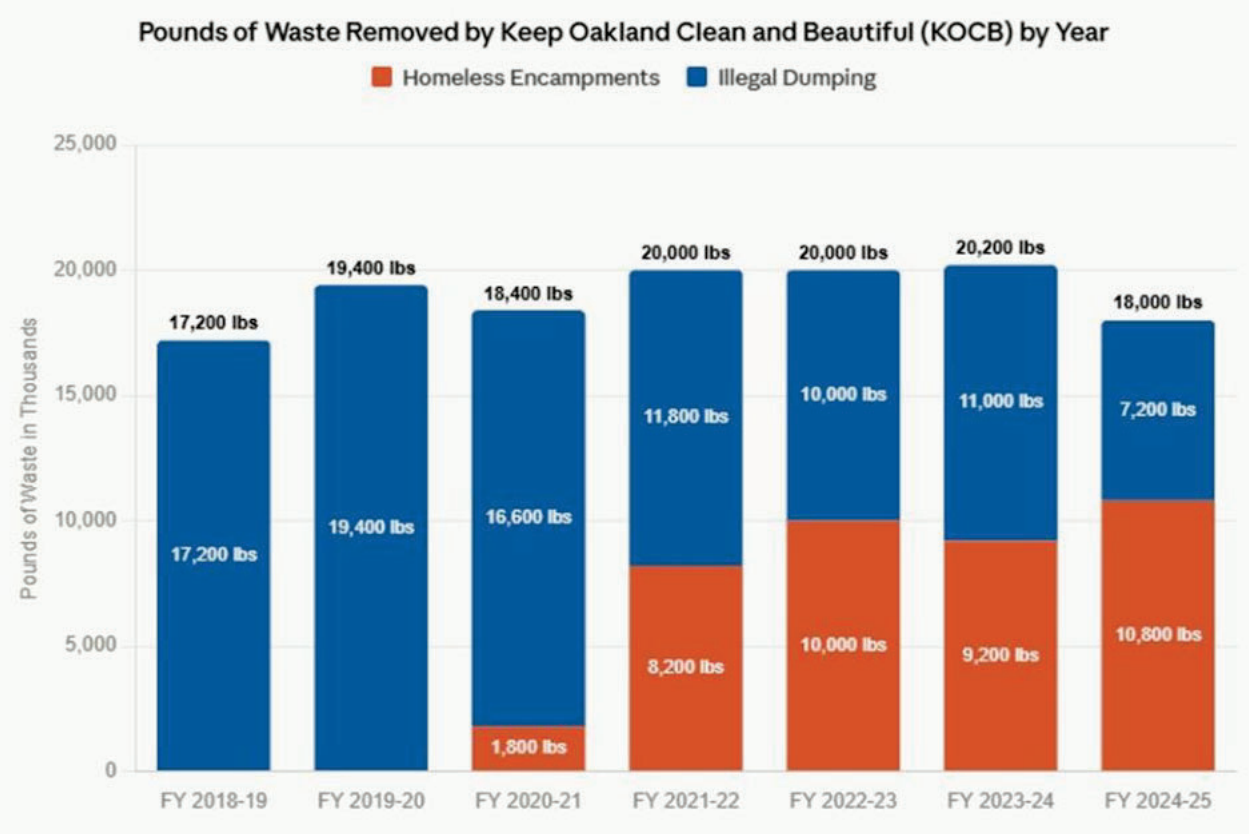
Eradication
Oakland's primary agency for eradicating illegal dumping is KOCB, part of the Bureau of the Environment within the city's Public Works Department. KOCB removes illegally dumped waste from streets and other public property. KOCB also clears homeless encampments – a significant issue in Oakland and a problem intertwined with illegal dumping. The same employees who clean up illegal dumping also clear encampments. They are often called away from illegal dumping work to clear encampments, a shift that city officials admit slows regular illegal dumping cleanup. These encampments accumulate trash and debris and attract additional illegal dumping, as they are seen as a safe place to unload waste. In the past four fiscal years, KOCB hauled between 8.2 million and 10.8 million pounds of materials from encampments. The city includes this cleared waste in its totals.

To perform this work, KOCB has 58 employees budgeted for illegal dumping services. This number has remained stable over the past few years, but the city froze six positions during a recent hiring freeze. KOCB has maintained a low vacancy rate for illegal dumping positions. The workforce includes 38 public works maintenance workers, 15 street maintenance leaders, and one heavy equipment operator. In addition, the division operates 13 vehicles.

KOCB crews regularly work six days a week, Monday through Saturday. Historically, their work required overtime, but that changed in 2025 due to budget concerns. Recently, however, KOCB received funding to reinstate overtime, at least temporarily. As a result, KOCB has been able to perform more proactive cleanup work (including Sundays) focused on hotspots.

Oakland's eradication efforts rely heavily on volunteers and private organizations. During part of the current fiscal year, the Public Works Department reported that volunteers contributed more than 116,000 hours to cleaning and beautifying the city. At Oakland's current local minimum wage, the value of that volunteer labor exceeds $2 million.

KOCB is not responsible for waste dumped on private property, which is the property owner's responsibility. Similarly, Oakland does not have responsibility for all rights-of-way where illegal dumping occurs. Railroads are outside its jurisdiction, as are ramps and areas under freeways, which fall under the jurisdiction of the state Department of Transportation (Caltrans). Recently, the city council approved a delegated maintenance agreement with Caltrans. The state will pay Oakland up to an authorized amount to fund the Public Works Department's cleaning of 22 Caltrans locations.



Source: Keep Oakland Clean and Beautiful

Enforcement

For enforcement, Oakland employs EEOs in the Bureau of the Environment within the Public Works Department. The EEOs conduct field enforcement and investigate illegal dumping, with the authority to issue citations carrying civil penalties. They also handle weed abatement, graffiti, and storm drain violations. Oakland established these positions in 2019, replacing the city's litter enforcement officers. The Grand Jury learned that Oakland has faced employee retention and vacancy issues in EEO positions. It also froze hiring for EEO positions for budget reasons, even though the current city budget allowed Oakland to fill two of those positions. Currently, Oakland has seven budgeted EEO positions, with one position still frozen.

Shifts in Oakland's Approach (Other Efforts to Address Illegal Dumping)

Prior to the current Three E's approach, the city established other programs to address illegal dumping. One program is Oaktown PROUD (Prevent and Report Our Unlawful Dumping), launched in early 2020. Oaktown PROUD encouraged residents to report illegal dumping to the city's OAK311 system for cleanup and to educate residents about proper waste disposal, including bulky waste services. Witnesses directly involved with KOCB informed the Grand Jury that Oaktown PROUD was no longer active or was "suspended." Yet information about Oaktown PROUD still appears on KOCB's website. Oakland's adopted policy budget for fiscal years 2025-27 included "$100,000 to relaunch Oaktown PROUD Illegal Dumping Education Campaign." Oakland has conducted further educational efforts, but the role Oaktown PROUD

plays in this regard, or whether the additional monies are being used for this purpose, remains unclear.

Separately, within the past year, the mayor launched the Keep the Town Clean initiative. This effort has largely operated independently of KOCB, though KOCB has provided some support when requested. It initially focused on cleanup events around schools and later expanded to other areas.

Oakland's eradication efforts also shifted over time. Around 2018, the city adopted a zone-based approach, with crews cleaning specific zones within the city. Later, with Oaktown PROUD, Oakland shifted to a more reactive, complaint-based approach, using OAK311 to receive waste complaints and respond with cleanup. Next, the city took a more proactive approach, placing greater emphasis on cleaning identified "hotspots," where large amounts of waste accumulated or problems were identified. Most recently, Oakland switched to a mixed approach, relying once again on OAK311 complaints, while also trying to employ proactive efforts using four zones. Within those zones, when assigned, a KOCB crew will focus on a specific area, such as a street corridor and the blocks immediately adjacent to it. The crew will clear waste in that area, but will not focus full-time on the entire zone.

An Expensive Problem

Illegal dumping is costly for Oakland, though the total cost is difficult for city officials to quantify. The city council recently noted that, for the 2025-26 fiscal year, the Public Works Department's budget includes approximately $28.2 million "for the divisions directly responsible for abating and enforcing illegal dumping."

To the Grand Jury, the department estimated a slightly smaller amount, almost $24.6 million, for the fiscal year. That total includes just over $10 million directly for illegal dumping, over $2.6 million for environmental enforcement, and nearly $750,000 for stewardship activities, including organizing and supporting volunteer efforts. It also includes more than $11.1 million for street sweeping, which the department views as a first line of defense against illegal dumping. Separately, a review by the Oakland City Auditor recently identified nearly $12 million spent on illegal dumping cleanup in fiscal year 2024-25, plus over $2 million on "environmental enforcement."

Other Costs of Illegal Dumping

Illegal dumping also has significant economic, reputational, environmental, health, and safety impacts on Oakland. It is a quality-of-life issue, with piles of waste indicating decay, blight, and community decline. It is also a public safety issue, as other illegal activity often follows when an area appears to be in decline and unlawful conduct is tolerated.

INVESTIGATION

Sources of Waste

The Grand Jury first examined the sources of illegal dumping in Oakland, including the types of waste dumped, where it originates, and who dumps it. Unfortunately, there are no definitive answers. Oakland's illegally dumped waste is a mix of residential (households) and commercial (businesses) trash, along with some construction debris. Waste from junk haulers can be either type, depending on whether the hauler collects it from a home or a business. City officials involved in cleanup told the Grand Jury that, based on examinations of the debris, a majority appears to be residential.

Because illegal dumping mostly occurs out of sight of city officials and on a large scale, no reliable data exists to determine whether more waste originates within or outside the city, or who dumps it. Even when sifting through dumped trash, EEOs often cannot determine the source, unless the offender left an identifying item, such as an envelope with a name and address. Anecdotally, however, several city officials told the Grand Jury that most waste appears to come from within Oakland.

Causes of Illegal Dumping

The Grand Jury identified the following as major causes of illegal dumping in Oakland. They are listed below, in no particular order:

- **High Rates, Small Trash Containers:** Costs for residential trash removal in Oakland are among the highest in the Bay Area, with customers receiving smaller containers (32 gallons) under standard service, compared with customers in other jurisdictions (64 gallons). Rates rise steeply with larger containers. Current monthly rates for single-family curbside collection are $62.83 for a 32-gallon container, $110.31 for a 64-gallon container, and $165.42 for a 96-gallon container. Rates for recycling and compost containers are the same regardless of size. To keep costs low, customers may choose a garbage can that is too small for their needs. Witnesses testified that this factor may cause residents to illegally dump trash that would not fit into their cans.

  This issue may be an unintended consequence of Oakland's Zero Waste Strategic Plan, adopted in 2006. The plan aimed to encourage recycling and eliminate landfill waste. It pushed customers toward smaller garbage containers, on the assumption that they would recycle more and thus need less trash can space, a factor reflected in the Waste Management agreement's rate structure.

- **Underutilized Bulky Waste Services:** Illegal dumping of bulky waste, such as mattresses and furniture, is common in Oakland. Yet the city's Waste Management contract provides residents with free curbside pickup of these items. This program has

been underutilized, likely because of a lack of awareness and barriers to ease of use, as discussed below. Similarly, while Oakland allows residents to take bulky waste to Waste Management's transfer station in San Leandro, that drop-off service has also been underused.

- **Businesses Lacking Garbage Service:** Oakland mandates that all residences and businesses subscribe to weekly garbage service commensurate with their waste generation (O.M.C. § 8.28.100). Yet many Oakland businesses lack garbage service, which may result in illegal dumping. The Grand Jury heard estimates that thousands of businesses may lack service. In 2024, the city's Oakland Fresh program (a multi-department partnership aimed at cleaning up illegal dumping, graffiti, and overgrown vegetation) studied businesses along a section of International Boulevard. It found that 128 of 1,214 businesses, or 11 percent, had no garbage service. KOCB estimates that as many as one in six Oakland businesses go without waste service. KOCB has made efforts to identify these businesses and establish service.

  Oakland can deem residents who lack service, or are delinquent in their payments, to be a public nuisance. It can order service for those residential owners and place a lien on their property to recover the costs. However, Oakland's ordinance currently does not allow the city to take these actions with businesses.

- **Private Junk Haulers:** Private junk haulers need only a standard business license to operate in Oakland. They are supposed to pick up junk and trash from private citizens and businesses and dispose of it properly. The Grand Jury heard varying accounts about the role these haulers may play in the problem.

- **Homeless encampments:** As discussed, encampments not only produce waste and become areas with accumulated trash, but they may also attract illegal dumping.

- **High Fees at Transfer Station in San Leandro:** For trash in excess of the amount accepted for free bulky waste services, high fees at Waste Management's transfer station may discourage residents.

- **Perception That It's Acceptable to Dump Waste in Oakland:** Sadly, as several witnesses told the Grand Jury, a perception persists that it is acceptable to use Oakland as a dumping ground for waste. Many people seem to believe that it does not matter whether they litter or dump waste in Oakland, because the city will eventually clean it up. As witnesses repeatedly emphasized, this perception endures because enforcement has been weak, allowing violators to dump waste in Oakland without consequences.

Weak and Ineffective Enforcement

Although state and local laws prohibit illegal dumping, the Grand Jury's investigation found that enforcement of these laws is weak and ineffective in Oakland, as discussed below. Witnesses consistently acknowledged that Oakland's enforcement has been inadequate and needs significant improvement. The Grand Jury strongly agrees.

Criminal Penalties and Civil Fines

Oakland can enforce illegal dumping laws through the criminal justice system under the Penal Code and its local ordinances, or through the civil court system with citations for violations of the local ordinances. By referring cases to the Alameda County District Attorney's Office, offenders can be charged with misdemeanor offenses for dumping violations. Those convicted face jail time and fines. However, criminal cases must be proved beyond a reasonable doubt, including establishing the identity of the individual responsible for the dumping, to achieve a conviction. The Grand Jury learned that, as a practical matter, such action is difficult and costly to achieve.

The Grand Jury believes that criminal prosecution of serious or blatant offenders, with appropriate publicity, could serve as a deterrent. It hopes that Oakland can coordinate and undertake such efforts with greater law enforcement involvement.

During its investigation, the Grand Jury heard conflicting testimony about whether Oakland would conduct anti-dumping law enforcement actions involving the Oakland Police Department, such as "sting" operations or targeted enforcement. Some witnesses told the Grand Jury that such actions were underway, but other witnesses offered contrary testimony. These inconsistencies did not bolster the Grand Jury's confidence in Oakland's overall coordination and capabilities regarding illegal dumping.

Given the additional hurdles of criminal prosecution, a civil enforcement approach would likely be more effective in most cases. Through Oakland's ordinances, the city could more easily issue citations and impose fines. However, Oakland's penalties for illegal dumping have been far too low.[1] Witnesses repeatedly identified Oakland's penalty amounts as inadequate. Clearly, fines, ranging from $100 to $500, have not been enough to deter most offenders or to serve as an effective punishment. Recently, the city council increased penalties to $1,500 for a first offense, up to $3,000 for a second offense, and up to $5,000 for any subsequent offense (O.M.C. § 8.11.420(A)). This action is an important first step, which the Grand Jury hopes that Oakland will back with improved enforcement.

Low Staffing for Enforcement

Because of low staffing and the need to combat violent crime, the Oakland Police Department cannot actively enforce laws against illegal dumping. As a result, enforcement efforts rest

primarily with the small unit of EEOs. The city attorney's office reported receiving only about five referrals per month from EEOs for possible civil action. In the past several years, the city attorney's office filed only one civil action involving illegal dumping. It has not referred any illegal dumping cases to the Alameda County District Attorney's office for prosecution.

The Grand Jury learned of problems with EEO staffing and the support available to the EEOs. First, although the number of EEOs has increased from four since the city created the positions, the city has had difficulty retaining them. When vacancies arose, Oakland's slow hiring process left positions vacant for a long time. The city also froze hiring in some of the positions.

Few Citations Issued

The Grand Jury understands that the realities on the street make illegal dumping enforcement difficult. As the Grand Jury heard repeatedly, identifying a violator is often difficult unless someone catches the person in the act and can identify them, someone records a license plate number, or evidence identifies the source of the abandoned waste. EEOs spend a lot of time sifting through piles of garbage dumped in public rights-of-way, trying to find identifying information.

Sometimes, even with camera footage, a license plate may be unreadable, or an offender may have removed or covered it to avoid identification. Thus, while cameras are a useful tool, footage of illegal dumping has not automatically resulted in citations. In 2022-23, the first year Oakland used cameras, cameras captured 492 instances of illegal dumping, leading to only 72 camera-based citations. Later, as the chart below shows, the number of incidents caught on camera and citations fluctuated.

Oakland has few results to show for its enforcement efforts. EEOs can issue citations for violations, but city officials acknowledged to the Grand Jury that Oakland has a low citation rate, issuing only a few hundred illegal dumping citations each year since 2020. Oakland issued the most – 963 citations – in 2021-22. Since April 2025, the Public Works Department has reported only 213 citations. By contrast, Oakland had 24,515 and 23,241 requests for illegal dumping cleanup in 2024 and 2025, respectively. The value of the citations ranged from $146,850 in 2023-2024 to $516,459 in 2024-2025. For the current year, they have totaled $126,646.

Oakland's Illegal Dumping Citations

	April 2020 - March 2021	April 2021 - March 2022	April 2022 - March 2023	April 2023 - March 2024	April 2024 - March 2025	April 2025 - March 2026
Incidents Caught on Camera			492	457	159	103
Camera-Based Citations			72	59	134	43
Non-Camera Citations	538	963	382	511	352	170
Value of Camera-Based Citations			$20,057	$20,848	$110,542	$14,773
Value of Non-Camera-Based Citations	$167,299	$385,477	$131,772	$126,002	$405,917	$111,873
Total Citations	538	963	454	570	486	213
Total Penalties Imposed	$167,299	$385,477	$151,829	$146,850	$516,459	$126,646

Source: Oakland Department of Public Works

Low Collection Rates

Beyond weak enforcement and low penalties, Oakland has another serious problem: an embarrassing lack of collection of fines imposed for illegal dumping. The failure to collect penalties renders enforcement meaningless, because most offenders ultimately suffer no consequences.

Witnesses consistently admitted that Oakland has a serious problem collecting the imposed penalties. After EEOs issue a citation, the Bureau of the Environment can informally review it upon request before any formal appeal. The Grand Jury learned that such reviews often result in dismissal. If a citation stands, the cited party can appeal, with the case going to a hearing officer, while the city attorney's office represents the city. Even if penalties stand, the fines collected have been paltry. Among 3,293 citations issued since 2020, the Bureau of the Environment conducted 588 internal administrative reviews, dismissing 566 of those citations. Only fourteen citations proceeded to appeal hearings. Of those, four were successfully appealed, nine were upheld, and one case settled before the hearing.

Unfortunately, the Grand Jury cannot say how little Oakland actually collects, as witnesses were unable to pinpoint or estimate Oakland's collections. The Grand Jury requested this

information from the city several times, and multiple witnesses promised to provide information from Oakland's Finance Department. To date, however, the city has failed to comply with the Grand Jury's request. This refusal or inability to provide the requested information raises further serious doubts about the city's ability to manage the illegal dumping problem.

Media outlets reporting on this issue requested information through public records requests. They reported rates as low as 11 percent. However, the Grand Jury cannot rely on those news reports as evidence. A memo to the city council recently claimed that, among 270 citations issued in 2025, violators paid only thirty of them. Notably, it did not cite information from the city's Finance Department. In a recent report, the Oakland City Auditor found that the city collected only just over $16,000 from illegal dumping citations in fiscal year 2024-25 – while citations consistently have been in the six figures, as the above chart shows. The city auditor further reported that, in 2024, 18 percent of cited violators requested community service as an alternative to payment – while the city received no response to 73 percent of citations.

Why does Oakland have such poor collections? The Grand Jury found it difficult for witnesses to answer this question. Multiple factors seem to play a role. Once a citation becomes final and remains unpaid, the Public Works Department forwards it to the Collections unit in the city's Finance Department. The Grand Jury learned of delays in this regard. Public Works must put together a package for each citation before sending it to Finance. Because the EEOs have used paper records in the field, it takes time to construct a full package.

One solution, used in Oakland's system for parking citations, would be providing handheld technology for EEOs to use for citations, with electronic records immediately created and citations integrated with the city's other systems, including collections. This technology would make writing and processing citations easier and faster and integrate the information with the city's systems to improve collection efforts. Oakland urgently needs to complete this step.

Finally, with respect to collections, witnesses repeatedly suggested another solution: prohibiting offenders from renewing their vehicle registrations if they have an unpaid fine for illegal dumping. California law currently bars the Department of Motor Vehicles (DMV) from renewing a vehicle registration until the registered owner pays delinquent penalties for parking and traffic violations. (Vehicle Code §§ 4760, 4760.1.) Extending this prohibition to illegal dumping would help add teeth to laws prohibiting illegal dumping, especially if it applies to violations of local ordinances. However, this tool requires changing state law.

This year, Oakland sponsored legislation, Senate Bill 1218 (Arreguin), to change state law. As of this report, the bill stalled in the Senate Appropriations Committee and has not advanced further. Based on the Grand Jury's review of the bill as introduced, it would apply only to violations of the Penal Code, and <u>not</u> to delinquent fines for violations of local dumping

ordinances – which is vital. The Grand Jury believes that Oakland should continue to pursue such legislation, as long as it applies to the violation of local dumping ordinances.

Enforcement Cameras Installed, But Police Cannot Share Critical Information

Oakland has used technology to fight illegal dumping, including surveillance cameras. Yet Oakland stymies enforcement by failing to use camera footage already available from other sources.

In 2022, Oakland's Public Works Department placed 14 cameras around the city to catch illegal dumping; the number has since increased to 30, which are currently in use. The department places cameras at identified illegal dumping hotspots, and the locations change periodically. While perhaps having some deterrent effect, the cameras yielded varying numbers of citations (see the chart above). Since April 2022, the cameras led to 17.9 percent of the city's illegal dumping citations. The Public Works Department's data also showed a decrease in dumping problems at some camera locations. In a sample of eight hotspots where the city placed cameras, illegal dumping work orders decreased in the following year at five locations.

The cameras presented some challenges. The initial cameras did not produce footage with sufficient clarity to read license plate numbers in many cases. More recently, new cameras and technical fixes corrected this problem. However, violators frequently covered or removed license plates to avoid identification. Someone must review camera footage, a task that EEOs often did not have time to do. The city thus had its camera vendor review footage for possible enforcement of illegal dumping.

Significantly, Oakland has numerous other law enforcement cameras that would provide good illegal dumping footage. Instead of using them for enforcement, the city prohibits the OPD from sharing this information for that purpose. The Police Department has 291 automated license plate reader (ALPR) cameras throughout the city. The city's current Surveillance Use Policy for Automated License Plate Readers, which the city council approved in October 2023, prohibits the OPD from sharing information from that system (Resolution No. 89952 C.M.S.). The city adopted this restriction in deference to its Privacy Advisory Commission.

All officials interviewed by the Grand Jury on this topic agreed that OPD should be able to share this information with the Public Works Department for illegal dumping enforcement, subject to appropriate safeguards. As one elected official observed: "Not sharing it, I think, is a disservice." This necessary change would require city council action.

In a related positive development, Oakland is implementing Community Safety (CS) cameras, and this program will allow the use of that footage for illegal dumping enforcement. CS cameras are fixed devices capable of live streaming or recording video. Under Oakland's program, the

city will have up to 40 city-owned CS cameras, while an unlimited number of private parties with video surveillance can join the program and provide the city with access to camera footage.

In December 2025, the city council adopted the OPD's Surveillance Use Policy for CS Camera Systems (DGO I-32.1) (Resolution No. 91008 C.M.S.). In doing so, it rejected the Privacy Advisory Commission's recommendation against the policy, added safeguards against misuse, and expressly authorized the use of CS camera data "for environmental enforcement efforts to combat illegal dumping." OPD hopes to begin operating the CS cameras in 2026.

The Grand Jury was surprised and puzzled that most city officials interviewed, including those closely involved in illegal dumping, were unaware of the city council's December 2025 action. The OPD, however, is prepared to begin sharing information as authorized. The city council's action represents a significant change and an opportunity for the city. Oakland now must follow through with the implementation of sharing and using the CS camera data to improve illegal dumping enforcement. The Grand Jury further recommends that the city council remove restrictions on OPD sharing of ALPR data for illegal dumping enforcement.

Several witnesses told the Grand Jury that it would be useful for OPD to play a greater role in illegal dumping enforcement, and the Grand Jury agrees. OPD could enforce state Penal Code section 374.3, which prohibits the illegal dumping of waste materials, at least in a limited and focused way, as discussed in this report. The Grand Jury learned that OPD's lower staffing levels generally require it to focus on serious and violent felonies and preclude it from serving as a primary enforcement agency for illegal dumping. However, OPD was clear that it can help the effort through "strategic use of technology." Oakland has taken some positive steps in that direction, but it must go further by allowing the use of ALPR data for illegal dumping enforcement if the city is serious about this issue.

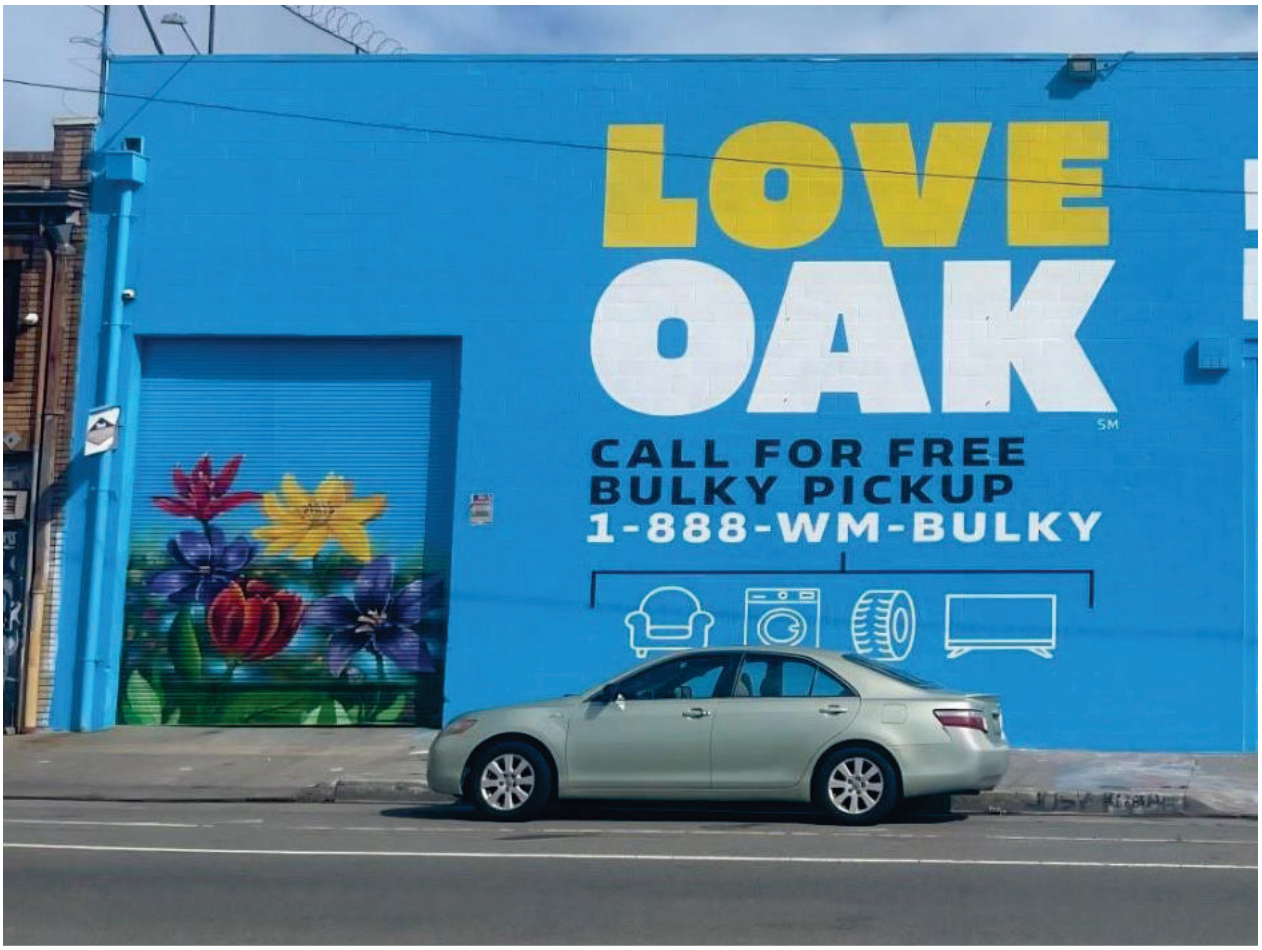
Use of Drones

The city council recently approved a pilot program for Oakland to use drone technology to identify locations where illegal dumping is a problem and thus move more swiftly clean those spots. As privacy safeguards, the aerial surveillance will not capture personally identifying information, including faces or license plate numbers, and will not show private property in its images. The Grand Jury believes that this technology could be very helpful in identifying problem areas and in efficiently focusing the city's limited resources.

Bulky Waste Disposal: Need to Improve Education and Ease of Use

Oakland offers free bulky waste pick-up and drop-off. Each calendar year, the Waste Management agreement allows residents in single-family homes and multi-family dwellings (apartments and condominiums): (1) free removal of up to "four cubic yards of bulky waste and a limited number of large items like appliances, mattresses, and tires" picked up on the curb

with a scheduled appointment; and (2) free "drop-off of up to four cubic yards of bulky waste" at the Davis Street transfer stations in San Leandro with an appointment. Additional waste requires payment of a fee. After using both services, residents in single-family homes can have a second, free curbside bulky waste pick-up after waiting at least 45 days.



A private organization's mural encourages Oakland residents to use the city's free bulky waste pickup services, which the Grand Jury found have been significantly underused.

The level of these services improved over time. Years ago, only property owners could request them. Now, tenants – especially those in multi-unit dwellings – can use the services. Still, Oakland offers fewer services than other cities. For example, Long Beach allows up to 12 bulky waste pickups per year, while San Jose has no limit.

Nonetheless, Oakland's free curbside pickup and drop-off services are underused. With bulky waste pickups, the city had only 17.5 percent, or 32,720, of its single- and multi-family units use bulky waste pick up services in 2022. That year, Oakland had 26,819 single-family units (or 23.7 percent) use the service, with only 5,901 (or 8.1 percent) of eligible multi-family units doing so. In 2023, the Public Works Department reported a total of only 26,367 units using the pickup service.

Similarly, the number of bulky waste drop-offs at the transfer station is low. Waste Management offers 50 weekday appointment times and 100 slots on Saturdays. Each year, it has 18,200 slots available. In 2022, however, Oakland residents scheduled only 3,526 appointment slots and ultimately used only 1,559 of them – or nine percent. In 2023, Oakland had 2,588 free drop-offs – an improvement, but still a low use rate of only 14.2 percent.

Previously, Oakland hosted free bulky-waste drop-off events, allowing residents to bring items to a specific location on a set day. Witnesses largely described them as successful and well-attended. In fiscal year 2021-2022, 3,611 vehicles attended these events, and the city collected 636.46 tons of waste. The city ended these drop-off events due to budget constraints.

The Grand Jury identified several reasons for the underuse of bulky waste pickup and drop-off services. First, some residents do not know the proper way to dispose of items, believing they can simply place items, such as mattresses or furniture, on the curb or sidewalk as a proper means of disposal. Second, many residents, especially tenants and those whose primary language is not English, have been unaware of the free bulky waste disposal services. More recently, the city and Waste Management have made targeted efforts to reach these populations and to increase promotion of the programs more generally, including the provision of materials in different languages.

The Grand Jury further learned that bulky waste disposal services are not user-friendly, discouraging their use. Residents can wait as long as three or four weeks for a pickup after scheduling an appointment. Not only is that wait time inconvenient, but it is also not feasible in some situations, such as for apartment residents with an imminent move.

Further, the city needs to consider allowing greater use of the services and increasing the amount of waste residents can unload. Residents of multi-family dwellings do not receive a second annual free pick-up. The Grand Jury also learned that Waste Management provided scheduling services only in English, a practice that discourages non-English speakers from using the services. The Grand Jury understands that Waste Management recently corrected this problem.

The Grand Jury knows that improving the ease of use of several aspects of the bulky waste services, including the allowed volume and frequency, and the speed of service, require changes to the Waste Management franchise agreement. The Grand Jury learned that the city and Waste Management have been negotiating possible changes as part of efforts to resolve litigation and other issues between them. Oakland and Waste Management should complete those negotiations by adopting changes that improve the availability and ease of use of these critical services.

Junk Haulers Warrant Greater Regulation

The Grand Jury repeatedly heard that unregulated private junk haulers play some role in Oakland's illegal dumping problem. These haulers are individuals or businesses that advertise that they will pick up waste (often bulky items), haul it away in their trucks, and dispose of it. The fees they charge should be enough to cover any landfill or disposal fees.

Although residents and business owners who hire private junk haulers trust that the haulers will properly dispose of their items, that is not always the case, as waste is dumped illegally in Oakland instead. To be sure, some haulers are legitimate and properly dispose of waste. Junk haulers can be part of the solution to illegal dumping if they properly dispose of waste, because bulky waste pickups or drop-offs may be insufficient for some customers' disposal needs.

Private junk hauling is legal, but largely unregulated. In Oakland, a private junk hauler only needs a regular city business license. KOCB's website lists junk haulers with active business licenses, and cautions, "Never hire a junk hauler without an active business license." It urges customers to "Request dump receipts from haulers before paying" – a step rarely, if ever, taken because it is not practical for a customer to withhold payment until the hauler returns from the dump with a receipt.

Because junk haulers operate across jurisdictions, including collecting waste outside Oakland and dumping it in the city, state regulation and licensing may ultimately be necessary. Still, Oakland could strengthen local regulations. The city has an ordinance regulating haulers of construction and demolition (C&D) debris (O.M.C. § 15.34.040). With some exceptions, it prohibits anyone without a non-exclusive franchise agreement (NEF) from collecting, transporting, or disposing of C&D debris within Oakland. The city posts a list of such haulers and requires customers to use a hauler from that list. Facilities accepting C&D debris must upload weight records and other information to the city's waste-tracking software. Violations carry fines.

Oakland's C&D debris ordinance offers a model for the city to regulate junk haulers and bring that problem under some modicum of local control. The city could require junk haulers to hold a business license and a NEF or a special hauling license from the city for any collection, transportation, or disposal of waste in Oakland. The city could require customers to use only haulers on a list of authorized haulers. Likewise, Oakland could require junk haulers to provide a log and dump receipts for all waste collected, subject to periodic audits. Violators could also face fines, civil action, or prosecution.

OAK311 Plays a Role, But Improvements Are Needed

The OAK311 system enables residents to report issues such as potholes, fallen trees, downed signs, damaged sidewalks, abandoned vehicles, and illegal dumping. Residents can submit

complaints by phone, through a mobile app, by email, or on the city's website. The OAK311 center has nine employees.

Illegal dumping has consistently been the most frequent complaint. For example, in 2025, it accounted for 29 percent of 89,361 reports, followed by abandoned automobiles at 19 percent. Similarly, through mid-April 2026, illegal dumping represented 28 percent of complaints, with abandoned cars second at 20 percent. OAK311 plays an important role by allowing Oakland residents to report illegal dumping, inform the city of problem areas, and receive responses from the city. However, as the Grand Jury learned, the OAK311 complaint-based approach to cleanup alone is not an adequate solution.

If waste reported through OAK311 is on city property or in the public right-of-way, the city generates a work order. In most cases, the Public Works Department responds through KOCB. It has aimed to respond to complaints within 72 hours – a goal it admittedly has not been able to meet because of the volume. Indeed, the Grand Jury's investigation revealed that KOCB essentially abandoned its effort to meet this goal. While trying to respond as quickly as possible, and still using complaints as a component of its approach, KOCB has shifted to clearing hot spots and corridors within zones.

Depending on the materials dumped, the city's response can involve multiple trucks. Different types of waste, such as furniture, green waste, electronics, appliances, tires, and general garbage, require separate trucks for removal. The city must keep them separate for proper disposal. The city has a specialty contractor for hazardous materials. For example, if a location includes tires and bags of garbage, and the tire crew arrives first, that crew will pick up only the tires. A second crew must respond to pick up the bags of garbage. After both crews record their respective responsibilities as "complete," a KOCB supervisor will "close" the work order. Such a closure generates a notice to the reporting party.

As the Grand Jury discovered, the work order process has caused confusion and frustration for some residents. First, citizens do not receive an explanation for KOCB's use of different crews for different types of waste. As a result, a resident might see one crew remove only some items, leading the resident to believe the city did not complete the job. This situation may prompt another complaint.

The Grand Jury also learned of recurring problems with some work orders being "closed" prematurely. In those situations, KOCB makes an entry in the system indicating that a work order is "closed" before all items are removed. As a result, the resident who made the complaint receives a notice that the work has been completed, even though it has not. Again, not only does such an error exasperate residents, but it can also lead to further complaints.
Although witnesses acknowledged that this issue has been a problem, they had difficulty explaining why. The main reason appeared to be supervisors erroneously closing an entire work order rather than marking a specific part as complete. Some witnesses told the Grand

Jury that the problem stems from inadequate staff training. To correct this problem, KOCB should conduct or reinforce staff training on the proper closing of illegal dumping work orders, so that KOCB does not completely close an order until after all waste components are removed.

Other Factors Hampering Illegal Dumping Cleanup

The Grand Jury learned of two other factors slowing illegal dumping cleanup.

First, as discussed, the city routinely pulls KOCB employees away from illegal dumping cleanup to clear homeless encampments. The homeless encampment work is important and essentially a sanitation service that Oakland provides to encampments. However, witnesses confirmed that it slows regular illegal dumping cleanup by diverting crews from that work. The city has explored creating a separate unit for homeless encampment work, with employees assigned only to that work, thus leaving KOCB employees to handle illegal dumping cleanup.

Second, witnesses told the Grand Jury that KOCB's crews frequently encounter problems with vehicles and equipment not working, with repairs delayed. As with other city vehicles, responsibility for repairs rests with Oakland's Fleet Maintenance Division – another part of the Public Works Department. It has suffered from employee vacancies, a lack of resources, and a resulting backlog. Witnesses left no doubt that broken vehicles and equipment slow KOCB's illegal dumping cleanup work.

A Single Point Person Needed

As this report should make clear, Oakland's illegal dumping problem is multifaceted, with many focal points that require attention and coordination. Yet, despite the magnitude and persistence of illegal dumping in Oakland, the Grand Jury learned that Oakland has never had a single point person to coordinate illegal dumping issues. This gap stood out to the Grand Jury. Witnesses had difficulty identifying who, if anyone, oversees Oakland's illegal dumping efforts. They generally agreed that Oakland would benefit from having a single point person with authority to coordinate and manage all illegal dumping efforts. So does the Grand Jury.

The lack of coordination is evident in several respects. During its investigation, the Grand Jury was often surprised to receive conflicting information from officials on the same issues, who seemed unaware of recent developments or what other parts of the city government were doing on those issues. Officials gave different descriptions of Oakland's current approach to illegal dumping and cleanup efforts. They either could not explain or provided unclear information about the status of Oaktown PROUD. Others expressed a lack of knowledge of the particulars of programs under their purview. Officials were unaware that the city council recently authorized the use of CS camera footage for illegal dumping enforcement. Other witnesses provided differing accounts of whether the city planned special law enforcement actions, as well as the level of fines that Oakland could impose for dumping violations.

The Grand Jury's investigation revealed that Oakland has tried various approaches over time, but has also struggled to develop clear strategies and stick with them. The city has launched various programs or shifted its emphasis due to political changes or in response to public pressure. For example, different mayors have undertaken their own initiatives. The Grand Jury concludes that Oakland has lacked, and continues to lack, a coordinated and seamless strategy to fight illegal dumping.

Although the Public Works Department is the primary city agency responsible for addressing illegal dumping, it is not the only agency involved. For example, the Parks and Recreation Department conducts cleanup on its property, and OAK311 falls under the city administrator. With encampments, several other departments also may be involved. The city attorney's office and even the OPD may be involved in enforcement. The Finance Department handles penalty collections. The Public Works Department has a director who reports to a deputy city administrator and, in turn, to the city administrator. An assistant director in Public Works oversees the environmental division, which includes KOCB, and reports to the director.

In the past year, the city administrator's office hired a former city council member for a one-year special assignment to analyze the issues and make strategic recommendations. Given this long-festering problem, Oakland has already had ample opportunities to study the issues, decide on an effective plan, and implement it. The Grand Jury found that this new hire and the various players on illegal dumping issues still had not worked together. While perhaps providing some benefit, this position further demonstrated how uncoordinated Oakland's approach has been and underscored the need for a single point person to coordinate everything.

The Grand Jury learned that city officials and agencies have generally not met regularly to coordinate efforts to address illegal dumping, including enforcement. Recently, some officials met more frequently with the mayor's staff. While the Grand Jury credits the current mayor for placing greater emphasis on the illegal dumping problem and for pushing solutions, Oakland does not have a strong mayor system, which limits the mayor's ability to deal effectively with the problem. The city charter gives the mayor no direct control over the Public Works Department or other city agencies, nor does it give the mayor any involvement in their daily operations. Rather, that authority generally falls to the city administrator.

Within Oakland's governance structure, the Grand Jury recommends that Oakland designate a single point person for illegal dumping issues within the city administrator's office. As the city's main administrative body, the city administrator's office is best positioned to ensure that all city Departments do their part to combat illegal dumping. The designated official should have the authority to coordinate and manage illegal dumping issues across programs and departments. The official must have operational experience and thorough knowledge of the

issues. If Oakland voters approve a charter amendment that reforms the city's governance structure, this position then should be positioned accordingly at the top of that structure.

CONCLUSION

Addressing illegal dumping is far more complicated than simply cleaning up dumped waste. Instead of concentrating only on eradication, Oakland must also focus on education and enforcement (i.e., all of the Three E's). The Grand Jury recognizes that, given the realities on the street, the volume of illegal dumping is so large and constant that Oakland cannot stop all illegal dumping. However, with a clear approach, followed by consistent and effective implementation, Oakland could significantly reduce illegal dumping to a manageable level.

On eradication, the city's crews and volunteers do an admirable job in removing about 20 million pounds of waste per year. However, they can pick up only as much as existing resources allow. Persistent vehicle and equipment problems slow their work. At the least, even if it cannot commit significant additional funds to eradication, the city should make fixing these problems a priority.

On the education side, Oakland's efforts have been lacking. The city's free bulky waste pickup and drop-off services are critical to reducing illegal dumping, yet they have been significantly underused. One main reason is that residents, especially in multi-unit dwellings and communities where English is not a first language, are not aware of the services. While Oakland has made some additional education efforts recently, it needs to do more. Not only do residents need to know about proper waste disposal options, but Oakland should also educate the public further about why illegal dumping is unacceptable and that violators will face consequences.

Illegal dumping enforcement in Oakland has been inadequate and abysmal. Despite various steps, the city's citation rate has been low, and few violators have ultimately paid any penalty. In the past several years, the city has not referred any cases for criminal prosecution and has brought only one civil action. The city has hindered its own efforts by freezing EEO positions and leaving them vacant, failing to provide EEOs with necessary technology, and prohibiting OPD from sharing ALPR data for illegal dumping enforcement.

Oakland must make significant changes to enforcement. Among them, it must provide EEOs with the handheld technology they need to improve citation-writing and collections. The city council must also amend city policy to allow the OPD to share ALPR data with the Public Works Department for illegal dumping enforcement, subject to appropriate safeguards. Overall, Oakland must demonstrate that enforcement is a priority and that violators will face real consequences – showing not only a new commitment to fixing the problem but, also, the benefit of deterrence. Some high-profile, appropriately publicized actions may help. While higher penalties and possibly suspending vehicle registration renewals may be useful tools, they will be of little value without actual, effective enforcement.

The Grand Jury concludes that Oakland needs a single designated point person to coordinate and manage its illegal dumping efforts. For a long time, the city has tried different approaches and programs, often under different names, and has shifted tactics as priorities or attention changed. Oakland has had difficulty establishing a clear approach and sticking to it. As was readily clear to the Grand Jury, Oakland's efforts have suffered from a lack of clarity and consistency, with many officials involved, conflicting descriptions of the city's current approach, limited awareness of current developments, and no one clearly in charge. At this point, the public deserves a coordinated strategic plan for the problem of illegal dumping.

FINDINGS

Finding 26-1:
Illegal dumping of trash has been a massive problem in the City of Oakland for many years.

Finding 26-2:
In recent years, the City of Oakland has collected about 20 million pounds of illegally dumped waste annually.

Finding 26-3:
Illegal dumping in the City of Oakland is a multi-faceted problem, with several causes and several different actions necessary to tackle different parts of the problem.

Finding 26-4:
Among the causes of illegal dumping, the City of Oakland's rates for residential garbage containers have spurred illegal dumping of excess trash, as customers choose smaller containers that cost less, rather than a sufficient size for the amount of waste they generate.

Finding 26-5:
The City of Oakland has thousands of businesses without mandatory garbage service, resulting in illegal dumping of their waste.

Finding 26-6:
Over the years, the City of Oakland has tried different approaches to fighting illegal dumping, with various programs using different names.

Finding 26-7:
Eradication, or cleaning up illegally dumped waste, alone is not a solution; it must be combined with education about proper disposal and strong enforcement of laws against dumping.

Finding 26-8:
While the City of Oakland has made some particular enforcement efforts against illegal dumping, such as having Environmental Enforcement Officers and using cameras, its overall illegal dumping enforcement has been inadequate.

Finding 26-9:
Although the City of Oakland's ordinances provide for civil and even criminal penalties for illegal dumping, the amount of civil penalties has been too low to deter or effectively punish illegal dumping.

Finding 26-10:
Current state law does not allow the Department of Motor Vehicles (DMV) to withhold vehicle registration renewals for vehicles used in illegal dumping if the owners have any delinquent illegal dumping fines.

Finding 26-11:
Currently, the City of Oakland cannot use delinquent illegal dumping fines imposed under its local ordinance to prevent the DMV from renewing a vehicle registration.

Finding 26-12:
The City of Oakland has implemented cameras around the city to catch people engaged in illegal dumping, and the city council recently allowed Community Safety (CS) camera footage to be used for illegal dumping enforcement.

Finding 26-13:
The City of Oakland has prohibited the Oakland Police Department from sharing Automated License Plate Reader data with the Public Works Department for illegal dumping enforcement.

Finding 26-14:
In the past several years, the City of Oakland has not made any referrals to the Alameda County District Attorney's office for criminal prosecution of illegal dumping.

Finding 26-15:
The City of Oakland's Environmental Enforcement Officers lack sufficient technology for their enforcement and citation efforts involving illegal dumping.

Finding 26-16:
The City of Oakland recovers a low percentage of civil penalties imposed on illegal dumping offenders through administrative citations.

Finding 26-17:
The City of Oakland's free programs for bulky waste disposal have been underutilized for various reasons, such as lack of awareness, scheduling, and language hurdles, making it difficult for residents to use them.

Finding 26-18:
The City of Oakland does not regulate private junk haulers, except those handling construction and demolition debris.

Finding 26-19:
The City of Oakland's crews in its Keep Oakland Clean and Beautiful division, who are responsible for illegal dumping cleanup, also conduct work clearing homeless encampments.

Finding 26-20:
The City of Oakland's OAK311 system allows the public to inform the city where illegal dumping problems occur.

Finding 26-21:
The City of Oakland (Keep Oakland Clean and Beautiful) has prematurely closed illegal dumping work orders before all types of waste had been removed from a location.

Finding 26-22:
The City of Oakland (Keep Oakland Clean and Beautiful) has provided training to its employees on the proper closure of work orders, but needs to reinforce that training.

Finding 26-23:
The City of Oakland's Keep Oakland Clean and Beautiful crews have had their illegal dumping cleanup work slowed by vehicles and equipment not being in working condition.

Finding 26-24:
The City of Oakland does not have a single point person responsible for overseeing and coordinating its illegal dumping efforts.

RECOMMENDATIONS

Recommendation 26-1:
Within 120 days, the City of Oakland (City Council) should enact an ordinance requiring businesses to subscribe to waste collection services.

Recommendation 26-2:
Within 120 days, the City of Oakland (City Council) should enact legislation regulating private junk haulers similar to the city's ordinance regulating construction and demolition debris

haulers, including registration requirements, prohibitions on the use of unlicensed haulers, the creation of a public list of licensed haulers, and a requirement that haulers provide proof of proper disposal to the city.

Recommendation 26-3:
Within 90 days, the City of Oakland must undertake improved education campaigns to promote use of the free bulky waste pickup and drop-off services, including targeted outreach to residents of multi-unit dwellings and communities where English is not a first language.

Recommendation 26-4:
Within 120 days, the City of Oakland (City Council) should amend city policy on the use of Automated License Plate Reader data to allow such data to be shared with the Public Works Department for illegal dumping enforcement, subject to appropriate safeguards.

Recommendation 26-5:
Within 120 days, the City of Oakland must provide Environmental Enforcement Officers with handheld technology, like the technology that the city's parking enforcement officers currently use.

Recommendation 26-6:
Within 90 days, the City of Oakland must provide and reinforce training to employees in the Public Works Department's Keep Oakland Clean and Beautiful division, so that they do not prematurely and improperly close illegal dumping cleanup work orders before all waste has been removed from a location.

Recommendation 26-7:
Within 90 days, the City of Oakland should designate a single official or point person to manage and coordinate all illegal dumping efforts.

Recommendation 26-8:
Through ongoing negotiations with Waste Management, the City of Oakland must complete amendments to its franchise agreement that will help fight illegal dumping, including:

- changing the rate structure to make larger garbage containers more affordable
- enabling increased and easier use of the free bulky waste pickup and drop-off services, such as additional pick-ups and drop-offs
- allowing disposal of more waste, and
- reducing the time between scheduling appointments and pickups for bulky waste disposal.

Responses Required:

Oakland City Council	Findings 26-1 through 26-24 Recommendations 26-1 through 26-8
Mayor, City of Oakland	Finding 26-1 through 26-24 Recommendations 26-1 through 26-8

RESPONSE REQUIREMENTS – CA PENAL CODE SECTION 933.05

Pursuant to California Penal Code section 933.05, the Grand Jury requests each entity or individual named to respond to the enumerated Findings and Recommendations within the specific statutory guidelines, no later than 90 days from the public release date of this report.

As to each Grand Jury finding, the responding person or entity shall indicate one of the following:

(1) The respondent agrees with the finding.

(2) The respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefor.

As to each Grand Jury recommendation, the responding person or entity shall report one of the following actions:

(1) The recommendation has been implemented, with a summary regarding the implemented action.

(2) The recommendation has not yet been implemented, but will be implemented in the future, with a timeframe for implementation.

(3) The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the Grand Jury report.

(4) The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.

NEWARK UNIFIED SCHOOL DISTRICT REVISITED: UNRESOLVED PROBLEMS AND NEW CHALLENGES

EXECUTIVE SUMMARY

The Newark Unified School District (NUSD) has a history of leadership crises, fiscal challenges, and inappropriate governing board behavior. A decade ago, these issues were addressed by the Alameda County Civil Grand Jury, and the governing board agreed to implement changes that should have led to a healthier system of governance. Nonetheless, in 2024 and 2025, with a different governing team in place, the Grand Jury received multiple citizen complaints about the board and the district's superintendent.

The Grand Jury's investigation found that, despite changes in the governance team, there has been little lasting positive change within the district. Many of the concerns identified a decade ago persist, including violations of governance team policies, a lack of trust in the superintendent, leadership instability, and inadequate fiscal oversight. These problems, combined with declining student enrollment, deteriorating infrastructure, budget constraints, and teacher hiring and retention difficulties, paint a picture of a district facing daunting challenges and edging toward a crisis. The students that the district is supposed to serve stand to lose the most from this persistent instability.

In July 2026, a new superintendent will be tasked with turning around the district. Success will require a well-functioning board that enforces and follows its own rules and displays a degree of trust in its new chief executive. But, even if these requirements are met, to best serve Newark students, more dramatic steps may need to be considered, including merging the district with a larger neighboring district.

BACKGROUND

NUSD encompasses 11 schools, including one adult education school and one alternative high school. It had 4,410 enrolled students in the 2025-2026 school year, and approximately 500 staff members, including teachers and administrators. The NUSD's stated mission is to "inspire and educate all students to achieve their full potential and be responsible, respectful, and productive citizens."

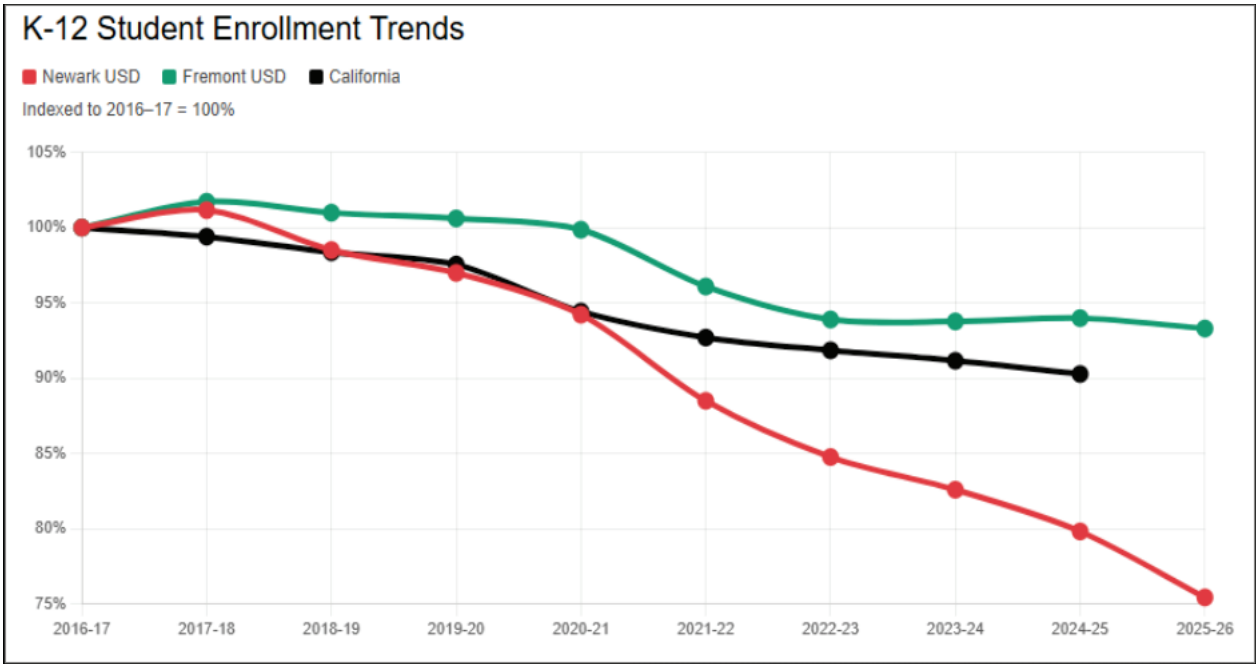
NUSD's Board of Education (BOE) has five elected at-large members (or trustees), who serve staggered terms of four years and have regular meetings twice per month. The BOE acts as the school district's legislative body, establishing the policies by which the district operates. Its responsibilities include strategic planning and policymaking; hiring, supporting, and evaluating the superintendent; reviewing and approving the budget and establishing priorities

for how money is spent; and monitoring student achievement, collective bargaining, and district programs. The superintendent acts as the chief executive officer, implementing board policies, hiring and firing staff, providing information and guidance to the board, and shaping and overseeing district operations. The superintendent is supported by an executive cabinet composed of three assistant superintendents, each responsible for a different domain (human resources, business services, and educational services), and an executive assistant.

Like all school boards in California, the California Education Code governs the Newark BOE's duties and the bylaws that the board adopts. In addition, the Newark board created a 17-page Governance Team Handbook that further outlines the norms, responsibilities, and protocols intended to guide the behavior of the board and the superintendent. The handbook was first created in 2005 and has been revised multiple times since then. The most recent handbook was adopted in December 2022, and revised and readopted in November 2025. The handbook states that one of the ways that the board provides leadership is by "[e]xhibiting a professional demeanor that models the District's beliefs and vision."

Newark incorporated as a city in 1955, with the goal of remaining independent from its neighbor, the later-incorporated larger city of Fremont. With 48,866 residents in 2025 – a slight increase over the previous year – Newark is the fourth smallest city (by population) in Alameda County. It is racially and ethnically diverse, with large Asian and Hispanic/Latino populations. The district's median household income ($159,465) is lower than that in the neighboring Fremont Unified School District ($169,023).

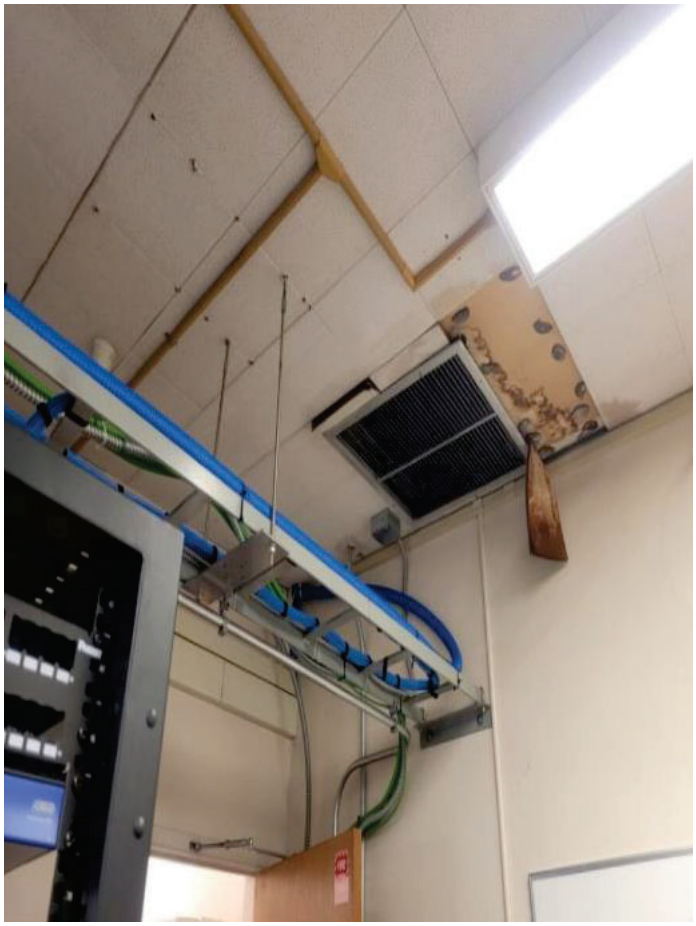
NUSD's enrollment has been shrinking. Like the vast majority of California school districts, the district's enrollment declined in the past 10 years, attributable largely to out-migration and falling birthrates. Its current enrollment represents a 25 percent decline over the past decade, which is higher than the rates for California overall (10 percent) and for neighboring Fremont (seven percent). The district projects enrollment declines of approximately six percent each year for the next two years.



Sources: https://ed-data.org/, and Newark USD and Fremont USD budget reports

In 2025-26, 44 percent of NUSD's students were low-income, English learners, or foster youth. Although student scores in English language arts and mathematics improved recently and are similar to statewide scores, they are still below standard. Fewer than half of NUSD students are college- or career-prepared upon graduation. Anecdotal reports suggest that concern about the quality of Newark schools has led to families requesting transfers to other districts or choosing private or charter schools instead, a trend that might account for some of NUSD's enrollment declines. Inter-district transfer request figures provide some support for these anecdotal reports. The requests totaled 136 in 2024-2025 and 161 in 2025-2026. Excluding requests for the continuance of transfers previously approved, the majority of 2025-2026 requests concerned specialized classes or programs offered in another district.

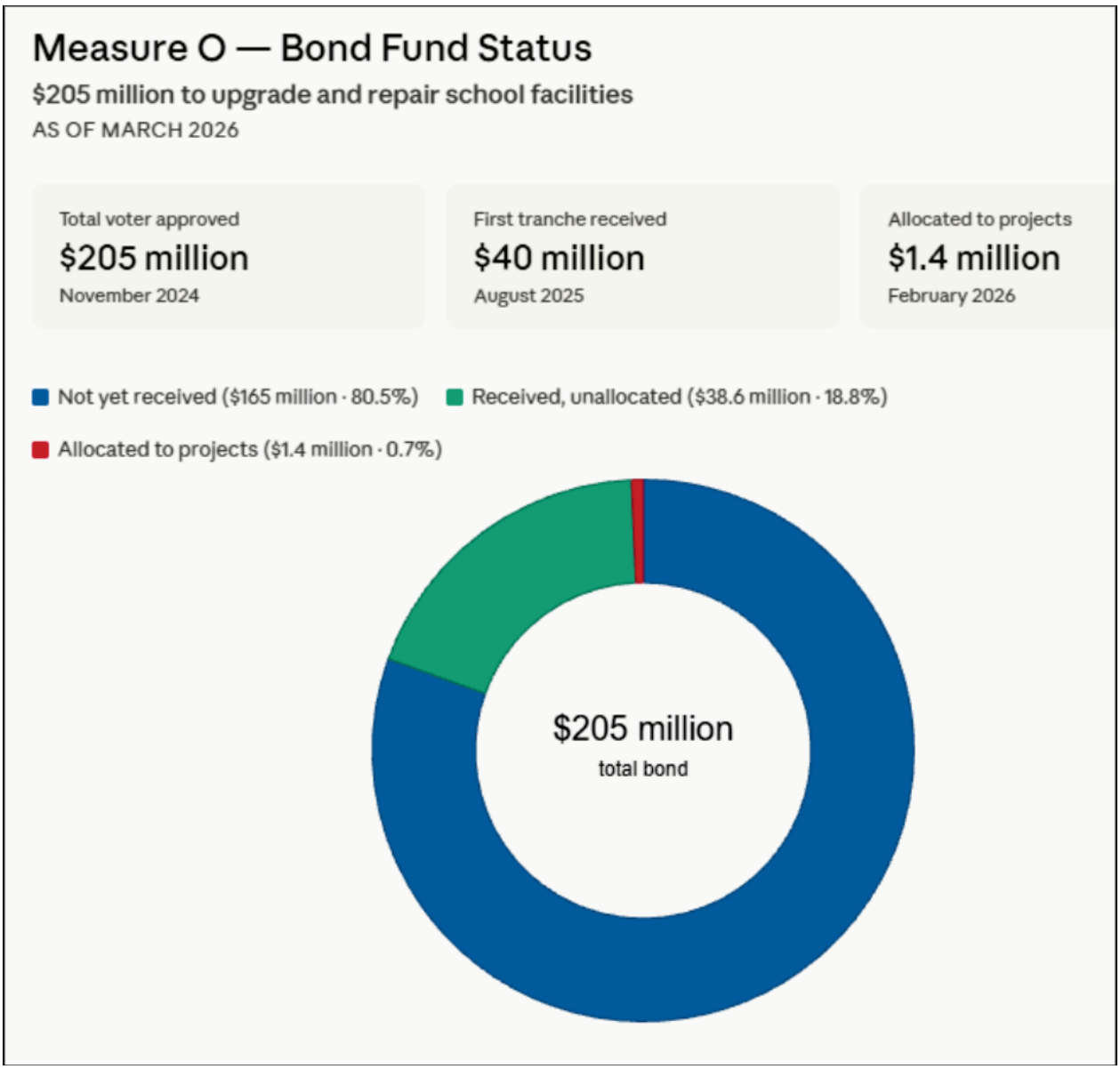
Due to declining enrollment, NUSD faces budget challenges, including a structural deficit that has required it to make "aggressive" reductions this year to meet its required three-percent reserve for economic uncertainty for the next three years. Deteriorating district infrastructure is also a concern, including school-wide problems with the HVAC system and a leaky roof in the portion of the district office that houses essential district computer servers. In 2024, 68 percent of Newark voters approved Measure O, a bond measure for $205 million to upgrade and repair school facilities. In June 2025, the BOE identified 11 priority projects. Two months later, the district received the first allocation of bond money ($40 million). However, only a small portion of that money (approximately $1.4 million) has been allocated to specific projects thus far, with only one project completed as of March 2026.



Damaged ceiling in NUSD district office server room

Cap covering non-working HVAC vent in NUSD district office

Damage to roof of NUSD district office



Average NUSD teacher annual salaries are lower ($111,218 in 2024-2025) when compared to neighboring districts Fremont ($118,643) and New Haven ($125,258). NUSD also does not contribute money towards teachers' health insurance premiums (an approach common among its neighbors), although Fremont offers teachers a nominal annual stipend of $1,000 to help defray those costs. NUSD teacher retention is a problem, demonstrated by a high percentage of teachers in their first and second year of teaching (19 percent and 16 percent, respectively) when compared to the county as a whole (seven percent and six percent, respectively).

In the past 10 years, NUSD has had a great deal of leadership turnover, with four different superintendents, one acting superintendent, and one interim superintendent. The district originally hired its current superintendent as its chief business officer in 2023; she was promoted to interim superintendent in 2024 and then superintendent in 2025. She plans to retire in June 2026, and the board recently announced that it had found a replacement. This

leadership instability, along with the closure of two elementary schools in 2021 and 2022, the controversial firing of a superintendent in 2023, and the closure of a dual immersion program in 2024, created ill will and distrust among parents, according to several witnesses.

As the Grand Jury knows well, problems with NUSD leadership are not new. In 2015, the Grand Jury issued a report that identified problems with the NUSD BOE and its relationship with the then-superintendent. It described a "dysfunctional working environment," including board members not complying with the BOE's rules, ineffective oversight, a leadership crisis, and a culture of board interference with day-to-day district operations. The 2015 BOE agreed with four of the report's five findings and agreed to implement all four of its recommendations, which focused on abiding by state law, the BOE's bylaws, and the Governance Team Handbook. It also agreed to amend its bylaws and handbook.

In 2024 and 2025, the Grand Jury received several complaints with a variety of allegations. They focused broadly on alleged fiscal impropriety by the BOE and the superintendent.

INVESTIGATION

In its investigation, the Grand Jury conducted a total of 15 interviews with NUSD community members, current and former NUSD superintendents, district employees, board members, and a member of the Alameda County Office of Education. Grand Jury members attended one BOE meeting in person and viewed numerous meetings archived online. Members reviewed hundreds of documents, including detailed complaints, budgets, fiscal analyses, employment contracts, salary and benefit data, audits, NUSD-related e-mails, BOE governance handbooks, BOE bylaws, NUSD staff presentations, correspondence from the Alameda County Office of Education, school enrollment data, governance training materials and certifications, and a variety of laws and policies related to public employment, California's public employee retirement systems, and local bond campaigns. Finally, the Grand Jury visited the district office in Newark.

Governance Concerns

Several of the governance concerns that the Grand Jury uncovered can be traced back to the BOE's failure to adhere to the policies and norms it endorsed when it adopted the Governance Team Handbook in November 2025. The most publicly damaging examples of failing to abide by the handbook concerned behavior during board meetings. While the handbook affirms the "cultural norms" of avoiding personal criticism and never devaluing others, board meetings the Grand Jury viewed included such disturbing behavior. As examples, the meetings included a shouting match between two board members, a board member repeatedly interrupting another board member, a board member insulting former staff with a demeaning nickname, and the same board member repeatedly accusing current staff of dishonesty and nefarious motives. As the Governance Team Handbook indicates, by failing to "exhibit a professional demeanor," the

board is failing to provide good leadership. Because of these types of behavior, the association representing school staff voted "no confidence" in four of five BOE members in May 2024 – three of them continue to serve on the board.

The United States Supreme Court has decided that local public bodies, like a school board, have long enjoyed the right to censure their members for perceived improprieties under certain circumstances without violating the affected members' First Amendment rights to free speech (*Houston Community College System v. Wilson*, 595 U.S. 468 (2022)). The BOE's bylaws include a policy (Bylaw 9280) that allows a majority of board members to censure, or formally reprimand, members who violate board policies. However, the Grand Jury found no evidence that the censure policy has ever been used by the board. The 2015 Grand Jury report drew explicit attention to this policy, which was new at the time, and suggested that following it would help prevent future violations of board policies. This Grand Jury reiterates that assessment.

The board also could discourage unprofessional behavior by strengthening the Governance Team Handbook's guidelines concerning board member training. Currently, the handbook *encourages*, but does not *require*, newly elected BOE members to participate in three trainings offered by the California School Boards Association (CSBA). CSBA offers two trainings, the Institute for New and First-Term Board Members and the New Member Orientation, at its annual conference. It offers a third training, Masters in Governance, online and in-person. The course description promises to equip participants with "the knowledge and skills to build and support an effective governance structure." The Grand Jury learned that not all BOE members took all three trainings. Although there is no guarantee that doing so would prevent the unprofessional behavior that the Grand Jury witnessed, uniform training has the potential to reinforce for the entire board statewide governance norms and expectations. The handbook should be revised accordingly. The Alameda County Office of Education has agreed to pay for one of the three CSBA trainings, Masters in Governance.

The current board, whose members have all been in office since at least 2024, also failed to conduct an annual self-evaluation, as the Governance Team Handbook requires. Instead, the board opted to conduct one after 18 months of service. The handbook describes the board's annual self-evaluation as an important part of a "comprehensive approach to holding the entire District accountable to the public." The Grand Jury agrees with that assessment. It further agrees that a regular self-evaluation would offer an additional, urgently needed benefit: Helping to restore order in board meetings.

Leadership Accountability to The Community

The Governance Team Handbook properly emphasizes the importance of leadership accountability to the community. It thus recommends that the BOE conduct regular superintendent evaluations. The Grand Jury learned that the current superintendent has never

been formally evaluated, despite holding the position on an interim basis from April 2024 to June 2025, and then on a permanent basis from July 2025 onward. The Grand Jury heard different reasons for this lapse, including the multiple roles that the superintendent held (including serving simultaneously as superintendent and chief business official for many months), scheduling difficulties, and, more recently, her impending departure. Nonetheless, in a district marked by a history of distrust, the lack of a formal superintendent evaluation does little to promote confidence and leadership accountability.

A more hands-on approach to accountability would involve regular meetings that allow community members to interact with NUSD leaders, but the district has fallen far short in this respect. The Governance Team Handbook mentions that the district will convene three stakeholder committees/advisory councils to increase parent and community engagement and communication: 1) a Superintendent Community Advisory Council (described on the website as "a dynamic forum where community members, parents and staff collaborate to shape the powerful futures we offer students at NUSD, ensuring their voices are at the heart of our educational journey"); 2) a District Budget Taskforce; and 3) a Community Schools Taskforce. The NUSD website includes entries and meeting dates from 2023-2024 for two of the three committees – the Superintendent Advisory Council and the District Budget Taskforce – as well as a third body, the Inclusion Taskforce, that is not mentioned in the handbook.

The Grand Jury learned that the District Budget Taskforce will reconvene in the fall of 2026. The Superintendent Community Advisory Council merged with another committee, the Local Control and Accountability Plan Parent Advisory Committee (LCAP PAC). This group of parents, staff, and community members provides recommendations to the BOE regarding how best to spend funds to meet student needs. It typically submits a report to the board in February. Despite its important role, there is minimal information about the committee on the NUSD website. For example, a hyperlink promising to take visitors to "all LCAP PAC Meeting materials and bylaws" leads only to the bylaws, approved in January 2024. These bylaws note that agendas will be posted 72 hours in advance (without clarifying where), and that meeting minutes will be distributed at meetings and to the superintendent. They are not, apparently, made publicly available on the NUSD website.

The third stakeholder committee mentioned in the Governance Team Handbook, the Community Schools Taskforce, is also known as the School-City Liaison Committee. It appears to have four members: the mayor and vice-mayor of the city of Newark and two BOE members. It meets several times during the school year and posts its agendas and meeting minutes on the NUSD website. Although the public is invited to attend, it is unclear how, or how widely these meetings are advertised.

On the surface, it is commendable that the district has attempted to collaborate with parents and the larger community through these committees. However, in reality, these efforts have sometimes been inconsistent or opaque. The District Budget Taskforce will have experienced a

two-year gap in meetings when (and if) it next meets in the fall of 2026. The LCAP PAC, while meeting regularly, does not appear to share meeting materials or agendas widely. It is also not clear from the NUSD website that this committee replaced the Superintendent Community Advisory Council. To fully realize the potential of these committees to engage parents and community members and promote collaboration, all three bodies should meet regularly, as well as post meeting agendas and minutes on the NUSD website. At a more basic level, the district website should accurately reflect the titles of these committees.

Separation of Powers

The 2015 Grand Jury report (p. 45) stated that it "behooves the board to be conscious of and to respect the separation of powers implicit in school governance. To intrude into the administrator's domain is to weaken and, in the worst circumstances, usurp the powers of its chosen chief executive." The Grand Jury's current investigation revealed that the BOE continues to struggle with the separation of powers.

As several witnesses explained, the board, in its oversight role, should ideally operate at a 50,000-foot level, with a bird's eye view of the district. The superintendent, on the other hand, as chief executive officer, should have a degree of independence from the board to make decisions that she or he regards as consistent with board policy. While the board sets policy, the superintendent has responsibility for the district's day-to-day operations. Central to this separation of powers is a degree of trust between the board and the superintendent. Indeed, according to the BOE bylaws, trust is one of the key contributors to governance team effectiveness.

The board frequently demonstrated that it lacked trust in several superintendents. For example, some members challenged purchase orders and contracts that the superintendent had the authority to issue. With the current superintendent, the board became involved in executive cabinet hiring and repeatedly questioned her choice of vendors and consultants. While the BOE has some oversight duties and should not passively endorse every action of the superintendent, a constant lack of trust in the superintendent has negative implications for both the superintendent's ability to successfully lead the district and community perception.

Leadership Instability and Staffing Gaps

The Grand Jury identified other problems that can be traced to leadership instability and staffing gaps, particularly in the executive cabinet. As discussed, NUSD had four different superintendents, one acting superintendent, and one interim superintendent in the last decade. Newly elected board members forced out one superintendent after two and a half years. His replacement, whose tenure was reportedly marked by conflict with administrative staff, retired one year into a three-year contract. Witnesses offered various reasons for the high turnover, including failure on the part of the search firm to properly vet candidates, "terrible"

hiring decisions by the BOE, and board dysfunction (evident in recorded board meetings) driving away those who were perceived as higher-quality or better-experienced applicants.

Regardless of the reason for leadership instability, it had multiple negative impacts. The most significant impact was on the executive cabinet. Several witnesses told the Grand Jury that executive cabinet and support staff turnover is common when a superintendent leaves; however, the problem is exacerbated with repeated superintendent departures. As a result, there can be staffing gaps as the new superintendent seeks to fill those positions, and there may be temporary hires (likely paid at a premium) if those positions prove difficult to fill. In some instances, temporary workers' lack of institutional knowledge or long-term commitment to the district may also lead to costly mistakes.

These problems are readily evident at NUSD. Early in both the previous and current superintendents' tenures, the district cycled through numerous temporary contractors hired in leadership and support roles in human resources and business services. From July 2023 to June 2025, there was no permanent head of human resources. Once the current superintendent became interim superintendent in April 2024, the chief business officer position she formerly held was occupied by temporary hires, a brief permanent hire, and, for approximately nine months, no one, with the current superintendent doing both jobs (and working very long hours). NUSD did not hire a permanent replacement until January 2026.

Staffing gaps may partly explain a particularly concerning budget inconsistency. In March 2024, the former superintendent sent a letter to the Newark community revealing a $14 million structural deficit, requiring layoffs and a purchasing freeze. The deficit stemmed in part from the end of pandemic-related funds and changes in state policies. However, after she left the district, in November 2024, the interim superintendent abruptly reported that $10 million had been "found," but could not explain how.

School district budgets are complex and need revision during the year, as changes in revenues and expenses can eliminate or create deficits. However, a steep drop in the budget deficit with no attempt to explain or justify it raised suspicions of incompetence (or worse) among staff and the community that might have been avoided with more consistent business office staffing. The eight-month delay in identifying a smaller structural deficit also meant that at least some of the layoffs that occurred following the March 2024 letter were likely unnecessary, contributing further to the damaging cycle of turnover of experienced staff and distrust.

Indeed, public suspicion about the reliability of budget numbers, particularly those showing large deficits, carried forward into discussions of the most recent budget in a March 2026 board meeting. Several speakers, including staff and members of the public, commented that they simply did not believe the numbers show a need for staff and teacher layoffs. It certainly did not help alleviate concerns that two February 2026 presentations by the superintendent

blamed the need for staff cuts in part on the $14 million deficit from 2024 that she inherited, without mentioning that this number later dropped to $4 million.

In 2020, concerns that NUSD would not be able to meet its financial obligations triggered intervention by the state's Fiscal Crisis and Management Assistance Team (FCMAT). The Legislature created FCMAT in 1991 to help local educational agencies identify, prevent, and resolve financial, human resources, and data management challenges. Among its services, FCMAT provides local school districts with fiscal management assistance to avert fiscal crisis and promote sound financial practices.

Based on its 2020 review, FCMAT prepared a report that identified declining student enrollment and turnover in leadership positions, including those of the superintendent and chief business official, as key factors influencing the district's budget problems. Absent stable leadership and continuity of decision-making, the changes needed to balance the budget were not implemented. Six years later, these factors continue to be at play. In July, a new superintendent will be responsible for producing the financial information necessary to inform board decision making about the budget. A local school district can request that FCMAT provide fiscal or management assistance. The Grand Jury determined that FCMAT's assistance may help improve the reliability of NUSD's financial information, as well as reassure the public and the board.

Staffing gaps or inexperience may also have been to blame for NUSD's failure to comply with California State Teachers' Retirement System (CalSTRS) reporting requirements, as outlined in a 2025 CalSTRS audit. Under CalSTRS rules, retired annuitants may return to work in a CalSTRS-covered position and continue to receive their pension; however, they are subject to strict earnings limits and restrictions regarding the timing of their return to work. Employers must report retired annuitants' earnings to CalSTRS, whether they are hired through employment agencies, as independent contractors, or as employees. Failure to comply with these rules can result in financial penalties for NUSD.

At least one independent contractor hired by NUSD on a temporary basis apparently was aware of the retired annuitant rules and may have tried to evade or ignore them. According to multiple witnesses, that individual created an employment agency and used his agency to hire several NUSD retirees to perform services for NUSD after those retirees had reached their CalSTRS earnings limits while working directly for NUSD as retired annuitants. This action reportedly led to the CalSTRS audit. That audit, conducted on a sample of employees, concluded that, between July 1, 2022, and June 30, 2024, NUSD failed to report post-retirement earnings for five employees. With three of those employees, their earnings exceeded the CalSTRS limit. It also found that NUSD failed to determine if contractors hired through an employment agency were CalSTRS members or retirees – an elementary failure.

Remedies outlined by CalSTRS included both mandatory basic training and optional additional training for business services staff on reporting procedures. More concerningly for a cash-strapped district, NUSD also faced potential financial penalties on the unreported earnings, although CalSTRS did not impose them this time. Nonetheless, as pointed out in a CalSTRS memo to the district, NUSD did pay a price in the form of lost trust on the part of CalSTRS.

Communication Channels and Transparency

The Grand Jury found a breakdown in NUSD's communications channels and transparency, with established channels not followed. The Governance Team Handbook states that board members should contact the superintendent to request any district information. This requirement allows the superintendent to "be aware of all requests and ensure that if one member receives information, the entire Board can receive the same information." The Grand Jury also recognizes that the superintendent has a responsibility to supply requested information to board members in their role overseeing NUSD.

Nonetheless, several board members mentioned relying on community members for information about the district, rather than the superintendent. This source would not be remarkable if the information shared was from community members' networks or individual perspectives. Instead, the information came from California Public Records Act (CPRA) requests covering a variety of topics, including overtime, stipends, and inter-district transfer reports, or from a "concerned citizen" with tech skills who "ran reports" for one board member. Indeed, the Grand Jury learned that, over a 22-month period, nearly one in five CPRA requests to NUSD came from a limited number of these community members.

Witnesses offered different explanations for this back-channel communication, stating that the data provided through official channels was put together in a confusing manner, was not regularly provided, or was unreliable. Other witnesses had a different view, stating that the district office often, but not always, provided information when asked. The Grand Jury notes that it is unusual (to say the least) for board members to rely on (or to need to rely on) information obtained through CPRA requests, which, of course, could be viewed in different ways or analyzed incompletely.

The handbook's guidance on the provision of information to board members appeared to have been written expressly to avoid the dangers inherent in reliance on other parties for information. One danger, directly alluded to in the handbook, was that with back-channel communications, not all board members receive the same information. A second danger, highlighted by a witness, was the possibility that information drawn from keyword searches to satisfy public records act requests failed to provide a complete picture of the issue at hand. Regardless of the impact, however, BOE's reliance on community members to give them information they feel they need to oversee the district is not a sign of a healthy communication

environment at NUSD. It is also concerning that community members feel they must regularly gather detailed information on the workings of the district for the BOE.

Another sign of an unhealthy communication environment at NUSD was the failure by the district office to allow adequate time for public review of meeting materials prior to regularly scheduled BOE meetings. For example, at the October 7, 2025 BOE meeting, two lengthy documents (each approximately 70 pages long) related to two agenda items were not made available to the public (or the BOE) until right before the meeting started. Community members expressed frustration about the delay and questioned the board's ability to make informed decisions without more time to review the material. At a March 3, 2026 BOE meeting, a budget presentation was not made available to the public until the day after the meeting. During the meeting's public comment period, a speaker highlighted her inability to access the information in advance and suggested that it eroded public confidence in the proceedings. The Grand Jury concurs with that assessment: Failure to share meeting materials with the public in a timely manner threatens to further undermine public trust in the district and in the board's decision making and reinforces a public perception of NUSD's lack of transparency.

A District Facing Daunting Challenges

Not every witness before the Grand Jury was pessimistic about NUSD's future prospects, with many arguing that the situation had improved in the past two years, particularly with more stable executive staffing. However, witnesses all highlighted problems that seemed, at the very least, daunting from an outsider's perspective. For example, several mentioned NUSD's continued difficulty attracting and retaining qualified teachers because of budget constraints that limited NUSD's ability to offer competitive pay. Others pointed to steadily declining student enrollment as a serious problem, with some witnesses predicting that the ongoing problem will require closing schools – a potentially fraught endeavor.

Witnesses also mentioned crumbling infrastructure and deferred maintenance as significant issues. Measure O, intended for NUSD infrastructure improvements, promises to alleviate at least some of these problems; however, the slow pace of allocating money for specific projects suggests that there will be no quick fix. This is true even for the district office, which one witness described as a safety hazard, with no working fire system, buckling ceilings and floors, and mold. Indeed, the Grand Jury observed these particular problems first-hand. Nonetheless, after being made aware of this dire state of affairs at a January 2026 board meeting, board members elected not to take immediate action to either repair or relocate the district office.

Based on its observations, the Grand Jury saw the conditions at the district office as presenting possible health and safety risks for employees. It understands that the state Division of Occupational Safety and Health (Cal/OSHA) has a free Consultation Service – separate from Cal/OSHA's enforcement division – from which an employer can confidentially request an on-site inspection and other services to evaluate a situation and explore any needed corrections to

prevent injury and illness. The Grand Jury believes that NUSD will benefit from using the Cal/OSHA Consultation Service.

Several witnesses had a bleaker view of the district: They suggested that NUSD is failing and unsalvageable, and has been that way for many years. They pointed to the various problems highlighted above, as well as the actions of the district's boards over the past decade. For example, a high-ranking education official expressed doubt about the ability of *any* superintendent to succeed at NUSD because the BOE had a history of creating the conditions that ensured that the superintendent would fail. Those conditions included an unwillingness to work with one another, or with whoever served as superintendent, to solve the district's problems.

This official's recommended solution to best serve the students of Newark was to dissolve NUSD as its own district and instead merge it with a neighboring district. According to the California Board of Education, there are several ways this could be initiated; these include a petition signed by a certain percentage of Newark's registered voters and formal resolutions passed by majorities of the governing boards of the school districts involved. Additional steps include formal review by the Alameda County Office of Education, public hearings, and voter approval. This process would not necessarily be easy, in part because of the central role that a desire for separation from its neighbors played in the founding of the city of Newark. However, such a move may be a better route to achieving NUSD's mission of "inspir[ing] and educat[ing] all students to achieve their full potential," rather than making continuing adjustments to the status quo.

CONCLUSION

Unfortunately, NUSD has seen little lasting positive change since the Grand Jury's 2015 report. That report's recommendations, to which the 2015 BOE agreed, should have had a lasting impact if followed consistently. They focused on what might be regarded as the bare minimum of compliance for any board: Adherence to state law, board bylaws, and the governing manual. NUSD voters elected several new board members in the intervening years, yet many of the same concerns identified over a decade ago persist. In particular, NUSD remains mired in violations of governance team rules, board micromanagement, leadership problems, and inadequate fiscal oversight. Its students continue to pay the price.

In this report, the Grand Jury identified many daunting challenges facing NUSD: Declining student enrollment, difficulty hiring and retaining qualified staff and teachers, a structural budget deficit, and deteriorating infrastructure. The district recently identified a replacement superintendent, someone it hopes will serve long-term and help it address these challenges. To succeed, the new superintendent will require a well-functioning BOE and a good relationship with its members and with the larger community – all built on a degree of trust.

Especially in light of NUSD's history, the continuing and further problems the Grand Jury uncovered now suggest that, without changes, the preconditions for the success of the new superintendent are unlikely to be met. Foremost among these recommended changes is adherence to board bylaws and the governing manual regarding meeting behavior, superintendent oversight, governance team evaluation, and parent and community engagement. Following and enforcing the rules that the board already established alone will not guarantee a more productive BOE or a healthy relationship between the BOE and the new superintendent, but doing so is an obvious place to start.

Successfully addressing NUSD's challenges will also require stability in staffing. The Grand Jury identified a history of repeated superintendent turnover, which not only created instability at the chief executive level but also led to an exodus of experienced executive cabinet members. The district has only recently begun to recover from these losses, but not before paying a price for relying on inexperienced replacements, including potentially unnecessary layoffs due to budgeting mistakes, and ongoing doubts about its ability to properly forecast its budget. NUSD cannot afford to experience even the normal level of executive cabinet and support staff turnover that happens when a new superintendent arrives. Loss of experienced personnel in the business services office would be particularly problematic because of the district's ongoing budget crisis and the need to ensure that the district's projected budget satisfies reserve requirements.

Even with a new superintendent, NUSD may not successfully address the challenges it faces. Indeed, the lack of meaningful change in governance in the last decade does not inspire optimism. More radical action may need to be considered, including merging the district with a larger neighboring district.

FINDINGS

Finding 26-25:
In 2015, NUSD Board of Education members agreed with the Grand Jury's report that identified systemic governance problems, and agreed to remedy them by adhering to state law, board bylaws, and policies.

Finding 26-26:
Some NUSD Board of Education members exhibit disruptive and disrespectful behavior during board meetings in violation of the NUSD Governance Team Handbook. For example, some members shout, make personal attacks, interrupt other Board members, and disparage staff at Board meetings.

Finding 26-27:
The NUSD Board of Education's Bylaw 9280 allows a majority of the board to censure board members for behavior that violates the NUSD Governance Team Handbook. The board has failed to use its censure power to prevent disruptive and unprofessional behavior at board meetings.

Finding 26-28:
Not all NUSD Board of Education members have participated in the training sessions offered by the California School Board Association, which the NUSD Governance Team Handbook recommends.

Finding 26-29:
NUSD's Board of Education failed to formally evaluate the current superintendent during her two-year tenure, despite the NUSD Governance Team Handbook requiring annual evaluations.

Finding 26-30:
NUSD's Board of Education failed to conduct an annual self-evaluation, despite the requirements of the NUSD Governance Team Handbook.

Finding 26-31:
In the past decade, student enrollment in NUSD declined by 25 percent, a higher rate than in neighboring districts.

Finding 26-32:
NUSD teachers have lower average pay than surrounding districts and receive no contributions towards their health insurance premiums from the district.

Finding 26-33:
Aggressive budget cuts will be necessary for NUSD to meet its required Reserves for Economic Uncertainty of 3 percent.

Finding 26-34:
NUSD has experienced repeated superintendent turnover, hiring difficulties, staffing gaps, and budget pressures.

Finding 26-35:
NUSD has had instability in the Chief Business Officer position.

Finding 26-36:
NUSD experienced inadequate fiscal oversight, particularly regarding hiring contractors and retirees.

Finding 26-37:
The California State Teachers' Retirement System (CalSTRS) requires NUSD to report whether individuals hired through employment agencies, as independent contractors, or as employees are CalSTRS members or retirees. NUSD failed to comply with this requirement.

Finding 26-38:
NUSD's financial reporting has been irregular, including the identification of a $14 million budget deficit, followed by an abrupt recovery of $10 million without adequate explanation, and it would benefit from further oversight.

Finding 26-39:
NUSD is not regularly convening or making publicly available the agendas and minutes of two of the three parent and community advisory committees mentioned in the Governance Team Handbook, as necessary to achieve the 2025-2026 district goal of parent and community engagement and communication.

Finding 26-40:
Community members regularly provide BOE members with information about the district obtained from Public Records Act requests, rather than BOE members obtaining information through the district superintendent, as recommended in the Governance Team Handbook.

Finding 26-41:
The district office does not always give the public adequate time to review information to be discussed at regularly scheduled board meetings

Finding 26-42:
The NUSD district office is deteriorating and represents a safety hazard for staff and visitors.

RECOMMENDATIONS

Recommendation 26-9:
To create more effective governance, all NUSD Board of Education members must ensure that they have completed the California School Board Association's Institute for New and First-Term Board Members, New Member Orientation, and Masters in Governance Training within 90 days of receipt of the Grand Jury report.

Recommendation 26-10:
The NUSD Governance Team Handbook must be updated to mandate that all current and future Board of Education members complete the California School Board Association's Institute for New and First-Term Board Members, New Member Orientation, and Masters in Governance Training within 90 days of receipt of the Grand Jury report.

Recommendation 26-11:
To prevent continued disruptive and unprofessional behavior at board meetings, the board should consult NUSD legal counsel regarding exercising the censure procedures in bylaw 9280.

Recommendation 26-12:
NUSD's Board of Education must formally evaluate the superintendent annually, as required by the NUSD Governance Team Handbook, following the start of the new superintendent's employment in July 2026.

Recommendation 26-13:
NUSD's Board of Education must conduct a self-evaluation annually, as required by the NUSD Governance Team Handbook.

Recommendation 26-14:
The NUSD must request a Fiscal Health Risk Analysis from the Fiscal Crisis and Management Assistance Team within 90 days of receipt of the Grand Jury report.

Recommendation 26-15:
To increase community engagement and communication, NUSD should convene at least quarterly all of the parent and community stakeholder committees as outlined in the Governance Team Handbook and post meeting agendas and minutes on the NUSD website.

Recommendation 26-16:
The NUSD website should accurately reflect the titles of all stakeholder committees within 30 days of receipt of the Grand Jury report.

Recommendation 26-17:
NUSD must comply with CalSTRS reporting requirements concerning all individuals whom it employs, including employees, contractors, or anyone hired through an employment agency.

Recommendation 26-18:
District information must be provided by the superintendent to BOE members as stipulated in the Governance Team Handbook.

Recommendation 26-19:
To build community trust, all meeting materials that will be publicly discussed at regularly scheduled board meetings should be made available to the BOE and the public 72 hours in advance.

Recommendation 26-20:
The NUSD should schedule a consultation with CAL OSHA within 30 days of receipt of the Grand Jury report to address district office safety issues.

Recommendation 26-21:
The NUSD Board of Education should work with the Alameda County Office of Education to convene a committee within 120 days to study whether it remains viable to continue operating

the NUSD as its own district and prepare a report for public review by the end of the 2026-2027 school year. The study must address the option of merging NUSD with another district.

Responses Required:

Board of Education, Newark Unified School District	Findings 26-25 through 26-42 Recommendations 26-9 through 26-21

RESPONSE REQUIREMENTS – CA PENAL CODE SECTION 933.05

Pursuant to California Penal Code section 933.05, the Grand Jury requests each entity or individual named to respond to the enumerated Findings and Recommendations within the specific statutory guidelines, no later than 90 days from the public release date of this report.

As to each Grand Jury finding, the responding person or entity shall indicate one of the following:

(1) The respondent agrees with the finding.

(2) The respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefor.

As to each Grand Jury recommendation, the responding person or entity shall report one of the following actions:

(1) The recommendation has been implemented, with a summary regarding the implemented action.

(2) The recommendation has not yet been implemented, but will be implemented in the future, with a timeframe for implementation.

(3) The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the Grand Jury report.

(4) The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.

A CALL FOR READINESS: IMPROVING THE CITY OF ALAMEDA'S EMERGENCY PREPAREDNESS

EXECUTIVE SUMMARY

Local governments and citizens should be prepared for emergencies. However, local governments bear a larger burden of responsibility, one that encompasses detailed preparation, testing, reviewing, and updating of emergency response plans. Local governments also must communicate with the public about their emergency plans and procedures before an emergency occurs – and while it happens. The Grand Jury received a complaint that the city of Alameda failed to provide adequate information to residents both before and during a tsunami advisory in July 2025.

The Grand Jury's investigation revealed shortcomings in some components of the city's emergency planning. While the city maintains a lengthy Emergency Operations Plan (EOP), with a 2026 version approved by the city council in April 2026, it has not been updated as often as recommended. More concerningly, it is unclear how seriously the city takes its own EOP: The Grand Jury found that the city ignored EOP guidelines regarding the critical importance of regular testing of emergency plans and formal review of those tests.

The investigation also revealed shortcomings in the city's outreach to residents, potentially limiting the ability of some residents to help themselves during an emergency. Since 2019, the city has not conducted any in-person emergency preparedness training, relying instead on the city's website to communicate this information. The city also may be unwittingly discouraging personal disaster preparedness by maintaining a database of residents requiring additional help during an emergency, despite the potential for an emergency to overwhelm the agencies responsible for delivering aid.

The Grand Jury found communication deficiencies not only before, but during emergencies that had the potential to create confusion and distress among residents. The city and its police and fire departments have a robust social media presence, but they did not always speak with one voice (or at all) when it came to keeping residents informed about the status of two tsunamis.

Alameda's new EOP addresses some of the problems with emergency preparedness planning and communications that the Grand Jury identified. Its release allows the city to commit to following its guidelines, reassuring Alameda residents that the city is indeed ready for any emergency. The release of the new EOP also offers the city a perfect opportunity to create and promote a disaster preparedness campaign that reaches all Alameda residents.

BACKGROUND

An Island City with Unique Vulnerabilities

The city of Alameda, home to just over 79,000 people in 2025, is an island community in San Francisco Bay to the west of Oakland. It consists of Alameda and Coast Guard islands, part of Bay Farm Peninsula, and Ballena Isle. The city has 10.45 square miles of land and 12.53 square miles of water. It has over 23 miles of shoreline surrounding Alameda Island and Bay Farm. The main island of Alameda has access from four bridges and two underwater tubes. Alameda's population has grown recently because of development on and around the former Alameda Naval Air Station.

City of Alameda High Street Bridge

In addition to being an island community, Alameda is also unique in Alameda County because much of its land is at or near sea level. These conditions leave the city vulnerable to flooding and tsunamis and make evacuations more challenging. Alameda identifies earthquakes, flooding from storms, and sea-level rise as particular vulnerabilities.

Alameda is a charter city with a council-manager form of government. It has a five-member city council, with four members elected at-large and a mayor elected separately. The city manager, appointed by the city council, is the city's chief executive officer. Department heads report to the city manager.

Process for Proclaiming an Emergency

Emergency proclamations have been rare in Alameda, with the last one apparently issued in January 2023 for severe winter storms. A city ordinance authorizes the city council and city manager to proclaim a local emergency. The city manager can ask the city council to proclaim an emergency if the city council is in session. If the city council is not in session, the city manager can proclaim an emergency, which expires if the city council does not ratify it within seven days. (Alameda Mun. Code, § 2-24.6(a)(1).) In addition, section 6-1 of the Alameda City Charter allows the mayor to "take command of the Police and Fire Departments and govern the city by proclamation whenever the Council determines that public danger or emergency requires such action."

The city, however, may confront situations that require alerts and activation of emergency response steps, without proclaiming an actual emergency. The city manager, who also serves as the city's director of emergency services, directs the city's emergency response. (Alameda Mun. Code, § 2-24.6(a)(4)-(6).) In its investigation, the Grand Jury learned that the city manager has the authority to order an evacuation.

The Alameda Disaster Council Has a Role in Disaster Preparation

The Alameda Disaster Council has a role in the city's disaster preparation and planning. It consists of the city manager, whoever the city manager designates in the roles of assistant director of emergency services and emergency manager, the "chiefs of emergency services" as specified in the current emergency plan, and any other civic group representative whom the city manager can appoint with city council approval. The emergency manager also serves as the city's Disaster Preparedness Coordinator. (*Id.*, § 2-24.5(c).) The council's responsibilities include developing "emergency and mutual aid plans and agreements." (*Id.*, § 2-24.4.)

Updated Emergency Operations Plan Approved in April 2026

The Disaster Council has the significant responsibility "for the development of the Emergency Management Plan," also known as the Emergency Operations Plan (EOP), which "shall provide for the effective mobilization" of all public and private resources for any emergency and "provide for the organization, powers and duties, services, and staff of the emergency organization." (*Id.*, § 2-24.8.) It requires city council approval. (*Id.*) The most recent publicly available EOP was issued in March 2019 and minimally revised in 2022. A new version prepared by consultants Atlas Planning Solutions was approved without comment by the city council in April 2026 but as of May 1, 2026 had not yet been posted on the city's website.

Key Players in an Emergency

In an emergency, Alameda would activate the city's Emergency Operations Center (EOC), comprised of city staff and department heads. The city manager is the formal head of the EOC, and may delegate this position to another department head, such as the fire chief. The city's police, fire, and public works departments play key roles in most emergencies. The fire department has 113 budgeted sworn positions, including chiefs, working from four stations. It has about 29 members active on a shift. During its investigation, the Grand Jury was informed that Alameda had approximately 77 police officers.

Alameda also relies on Community Emergency Response Team (CERT) volunteers. CERT is a national program created by the Federal Emergency Management Agency that provides training in disaster preparedness, fire safety, disaster medicine, light search and rescue, and team organization. Alameda currently has about 300 registered CERT members.

INVESTIGATION

The Grand Jury received a complaint about the city's alleged failure to provide residents with evacuation notices or other information following a tsunami advisory in July 2025, after a magnitude 8.8 earthquake off the Russian coast. A tsunami advisory is issued when strong currents or dangerous waves are expected, but widespread flooding is not; people in or near the water are most at risk. The complaint noted that some Alameda neighborhoods feature "Tsunami Zone" street signs, but residents never received any information about what to do in a tsunami. The Grand Jury decided to investigate these concerns, as well as Alameda's emergency communications and preparedness more generally. This broader investigation also incorporated the city's response to a December 2024 tsunami warning -- issued when there is imminent risk of widespread, dangerous coastal flooding -- after a magnitude 7.0 earthquake off the Northern California coast.

City of Alameda Tsunami Hazard Zone Warning Sign

In its investigation, the Grand Jury interviewed several city officials, including members of the fire and police departments, the city manager's office, and the city council. It also interviewed officials from Alameda County, as well as from the nearby cities of Oakland and Berkeley to compare their disaster communications and preparations. In addition, the Grand Jury reviewed numerous documents from Alameda concerning its emergency preparedness and response, as well as materials from the state, Alameda County, Oakland, and Berkeley.

Alameda's Emergency Operations Plan (EOP)

The city's EOP is intended to be a comprehensive emergency plan. Indeed, the 2019 EOP, as well as the 2026 version, identify the EOP as "the foundation for disaster response and recovery operations for the City of Alameda" (2019 EOP, p. vi; 2026 EOP, p. 1). It is also intended to be flexible enough to be used in all emergencies. The EOP consists of a basic plan, submitted to the city council for approval and publicly available on the city's website, along with annexes that provide more detailed guidelines and elaborate on specific operations and hazards. They reportedly contain critical information, including on evacuations, but the city keeps them confidential and unavailable to the public. They are not subject to city council approval. The Grand Jury was only able to review the basic EOP plans; thus, it is not possible to assess whether the full document represents a comprehensive emergency plan.

The city considers the EOP to be a living document, subject to review and update after training exercises and real emergencies. Ideally, according to several witnesses, EOPs should be updated every five years as the best practice. Alameda failed to follow this guideline: Seven years elapsed since Alameda's EOP underwent a major revision.

The 2019 basic EOP (the document without the unavailable annexes) is 95 pages. The foreword to the document describes the basic plan as addressing "the City of Alameda's roles and responsibilities during an all-hazards emergency response," including how the city interacts with various agencies and how the EOC functions (2019 EOP, p. viii). The 2019 basic EOP mentions various hazards that the city faces, including tsunamis. It notes that, because of the extreme risk associated with tsunamis, with state help, the city developed a Tsunami Evacuation Playbook in 2015. That document provides tsunami-specific maps, guidance, and plans for emergency response to tsunamis of different sizes and distances from the California coast. The 2019 basic EOP does not provide any specific information about the number of annexes attached to the basic plan, nor the particular topics that they cover.

The 2026 basic EOP, at 100 pages, is slightly longer than the 2019 version. It contains more information than the 2019 version about the annexes, revealing that there are 12 covering three general areas: 1) functional annexes that cover operations common to most emergencies; 2) hazard specific annexes; and 3) site or property specific annexes. The 2026 EOP also provides a table showing the title of each annex and a brief description of each. The hazard-specific

annexes cover earthquakes, fires, water-system failures, severe weather events, and tsunamis. According to a witness, the tsunami annex is new, as is a functional annex focused on emergency public information.

Preparing the Public for an Emergency

Before any emergency or disaster, residents must know what to do and where to look for information. Alameda's website includes a page devoted to disaster preparedness. It contains links to the 2019 basic EOP, the CERT program, frequently asked questions about tsunamis, and a video about disaster preparedness for people with disabilities. The website also hosts an eight-module educational series, created in conjunction with the school district, about how to prepare for an emergency.

However, despite this online information, Alameda has not held any in-person events to discuss emergency responses with residents since 2019, before the COVID-19 pandemic. In contrast, Oakland conducted approximately 10 in-person personal emergency preparedness trainings in 2025, each lasting 90 minutes. It plans six more in 2026. Oakland advertises its events on its website, via local community organization partners, and, in some cases, through door hangers. Berkeley has a regular schedule of classes for residents that covers tsunami readiness, family preparedness for emergencies, and developing household disaster preparedness plans. Berkeley advertises its events via newsletters, press releases, and community partners.

Alameda officials acknowledged that in-person disaster preparedness training could resume. They also agreed that the city could take additional steps to promote awareness, such as distributing postcard mailers, door hangers, and inserts in city electric bills (at least where customers still receive a paper bill). These approaches appear particularly important for residents without internet access, an audience unlikely to be captured by social media marketing.

Reaching and Serving Vulnerable Populations

Communications to the public before an emergency also need to take into account at-risk or vulnerable populations. Because Alameda has not conducted any in-person emergency preparedness events for at least the past seven years, it does not currently have a focus on reaching these groups. Oakland, however, identified neighborhoods with historically and currently underserved populations through a geographic equity toolbox. It attempts to focus 50 percent of its emergency preparedness outreach and engagement work in those neighborhoods by partnering with local community organizations.

The 2019 basic EOP briefly mentions the needs of individuals with disabilities, but the 2026 version goes further. It recommends that city staff "clearly identify which community members

may have special needs in advance of an emergency, during a disaster, and after a disaster. This allows for a more effective emergency plan and a better understanding of the resources needed, leading to a more informed action plan" (2026 EOP, p. 23.) The 2026 EOP also recommends creating partnerships with community groups that represent disabled individuals to build "creative solutions to potential problems before emergency situations develop." (2026 EOP, p. 23.) These relationships can also be used to educate disabled individuals and emergency responders about the likelihood of various kinds of assistance during emergencies. Oakland offers one example of these kinds of relationships, working with the Mayor's Commission on Persons with Disabilities to provide emergency preparedness training.

At the moment, Alameda maintains a voluntary "access and functional needs" database with contact information for residents who would need additional help or welfare checks during an emergency. Residents can fill out an online form with information about their medical issues, reliance on medical devices, ability to walk, estimated weight, and the address where they would like to go in an emergency. Non-English speakers can request help from a translator who will help them fill out the form over the phone or in person. One drawback is that residents must re-register every year; another is that impacted residents must be informed of the existence of the registry. The city has not yet had to use this database.

Berkeley, by contrast, does not maintain what it refers to as a "disaster registry," noting to the Grand Jury that the state Governor's Office of Emergency Services (OES) recommends against it. An OES disaster registry guidance document states the following:

> Registries can give registrants a false sense of confidence that, because they are on a list, they will receive additional resources or priority response services during emergencies. This false assumption is dangerous and can lead to an overall decrease in personal disaster preparedness. In addition, as opt-in programs, these registries provide emergency managers with an incomplete picture of access and functional needs in their community. Further, such lists are difficult to keep current, and it can be challenging to protect the personal identifying information that these lists contain.

A Berkeley official further explained that disaster registries create an unrealistic assumption that a limited number of firefighters will be able to help everyone who needs extra assistance during an emergency. Instead, Berkeley tries to promote the idea of neighbors helping neighbors. The city encourages conversations in advance to identify people who need assistance, and people who can provide it. Oakland takes a similar approach, aiming to create "a culture of preparedness" in the community.

Although the OES "strongly discourages" the use of disaster registries, it recognizes that some communities will choose to use them. In those cases, it offers guidelines for how to create and maintain such registries. These guidelines include the following: 1) creating a purpose

statement that clarifies that the registry does not guarantee in-person assistance during an emergency and encourages registrants to prepare for emergencies; 2) casting a wide net for potential registrants, including those with limited English language skills; 3) working with community groups to assist registrants before, during, and after disasters; 4) engaging in community outreach to encourage registration and coordinate the distribution of disaster preparedness materials for those eligible to participate in the registry.

Based on witness interviews and a review of city websites, Alameda does not appear to follow any of these guidelines in relation to its access and functional needs database. If it chooses to continue relying on the database, it should include in the online sign-up form the recommended purpose statement. Also, the city should more widely advertise the existence of the database and coordinate with community groups in the manner recommended by the guidelines.

Communications to the Public During an Emergency

One of the first steps in any emergency is notifying the public that an emergency exists. Alameda County residents can receive alerts in several ways. The federal government operates a wireless emergency alert (WEA) system. It does not require user registration but instead sends a warning message (a maximum of 90-360 characters) in English and Spanish (often accompanied by a noise or vibration) to all cell phones within a certain proximity to cell phone towers within a specific area. (Cell phone owners can opt out of WEA alerts by changing their phone settings.) The WEA system is reserved for severe, life-threatening events. Such events would also likely trigger television and radio alerts, managed through the national Emergency Alert System.

At the regional level, Alameda County hosts AC Alert, an emergency mass notification system that typically requires users to register to receive alerts via text messages, phone calls to landlines or cell phones, or emails. It is used for major events, but local authorities also use it for lower-level emergencies, such as unexpected road closures or missing person alerts. Recently, AC Alert added a feature that allows the County to automatically call or text people in an affected area even if they never signed up for AC Alert, via access to a large database of U.S. residential and business phone lines, including landlines, Voice over IP (VoIP) lines, and mobile phones. The County can also use the federal WEA system.

Cities within Alameda County receive training on how and when to use AC Alerts and can send alerts independently. Currently, the city of Alameda has approximately 20,000 AC Alert subscribers, out of over 79,000 residents. It tries to attract new subscribers by advertising on social media and through marketing the service at local events, such as the city's art and wine festival.

Another emergency information system available to residents is Genasys Protect. It does not send alerts but allows users to look up their evacuation zone and a map online via an app to see what is happening in real time.

Oakland and Berkeley have outdoor warning sirens, with Oakland using different siren warning sounds for different types of emergencies. Alameda does not have an emergency siren warning system, but several witnesses told the Grand Jury that the city has been actively exploring the idea. One witness explained that, by themselves, sirens do not solve the problem of communicating to the public about emergencies. Instead, they work as "pokers," telling people to "look at their phones or tune into the news."

Cities can also communicate to the public about emergencies through social media and city websites. Alameda has a presence on NextDoor, Facebook, Instagram, and Twitter/X. The city's fire and police departments also have accounts on social media sites. In addition, Alameda has a city website with a page devoted to active alerts. These platforms allow the city to provide more detailed information than that provided in a text-based WEA or AC Alert, which have character limits. The city also sends emails to its community partners, who can help spread the word. Recipients of AC Alerts may, in turn, share the city's information on their own social media sites.

These social media and internet-based platforms are key to communicating with the public about an emergency, particularly in the case of an evacuation: As one witness explained, most people try to confirm an evacuation message before acting on it. The Grand Jury learned that getting rapid, live information out to residents in the case of a potential evacuation is essential. Evacuation instructions change with additional information and analysis, and keeping residents informed can help avoid traffic gridlock and minimize panic.

The person responsible for sending emergency alerts to city residents is generally the public information officer (PIO). The PIO is involved when the EOC is activated and is responsible for drafting and sending emergency information out to residents, including via social media. The PIO can send AC Alerts, although, in some cases, police dispatch may take on that role. For example, if there is a gas leak on a particular street with police officers and firefighters responding, they will report to police dispatch, who will send an AC Alert to nearby residents if needed. If the city's PIO is absent during an emergency, the police department's PIO reportedly assumes those duties.

Some cities send more alerts than others. This difference can sometimes lead to confusion among residents about why one jurisdiction issued a warning or evacuation order, while the adjoining or nearby jurisdiction did not. Frequent use of alerts may result in alert fatigue, or the perception that a jurisdiction is "crying wolf," causing residents to ignore alerts or opt out of receiving them at all.

Several witnesses mentioned a WEA issued by the National Tsunami Warning Center in December 2024 as illustrative of the problem of over-notification. The alert reached local officials at the same time as the public. It advised both City and County residents that there was a danger of inundation from a tsunami and recommended moving to higher ground. However, the inundation assessment was very broad, with residents living far inland receiving the same recommendation to move to higher ground.

During the December 2024 tsunami warning, Alameda activated its EOC. It determined, based on its previous planning, that there was no substantial danger anywhere inland, sending an AC Alert clarifying that only residents on the shoreline should move inland. Out of an abundance of caution, the school district began the process of evacuating two schools near the water line. Residents living near these schools did not receive notifications from the city about the evacuations, creating concerns among some residents about the neighborhood-wide implications. However, the Grand Jury learned that the Alameda Unified School District, rather than the city, makes decisions about evacuating schools. The district has its own procedures for notifying parents and does not send notifications to the broader community.

By the time the school evacuation was underway, the National Tsunami Warning Center canceled the alert. Because so many different messages were being sent at the local level via AC Alert and other channels, the County chose to issue a WEA to notify everyone about the all-clear to eliminate any ongoing confusion. Alameda was the only County in the state to do so. According to a witness, it was later cited by an expert group on emergency messaging as a positive example of the use of WEA to stop, rather than initiate, messaging.

Although city officials were generally satisfied with the city's handling of this tsunami warning, several identified communication shortcomings. For example, one witness stated that, in hindsight, an earlier statement from the city advising the public that additional information was being gathered would have helped. This assessment influenced the 2026 revision of the EOP, which now includes emergency messaging templates for AC Alert, email notifications, and social media posts, drafted with the help of a crisis communications consulting firm. Another witness mentioned that the city could have done a better job notifying city staff about whether they needed to evacuate the city buildings in which they were working, adding that the city made adjustments to its emergency plans based on that insight.

The Grand Jury reviewed social media postings from the Alameda police and fire departments and from the city during the 2024 tsunami warning. The fire department's Twitter feed retweeted the tsunami warning from the OES but did not provide Alameda-specific information. The police department's Twitter account did not post anything on the day of the tsunami, and neither did the city's Facebook page.

The city's social media communication practices were also an issue during the tsunami advisory in 2025. Then, Alameda partially activated its EOC and notified harbor masters of a potential

threat (which was dismissed within an hour). The city provided detailed information on the city website, initially advising residents to stay out of the water and away from beaches and waterways, and posting two additional messages at 36-46 minute intervals stating that no evacuation was required. However, the city's Facebook page only contained the tsunami advisory information from the National Weather Service, with nothing specific for Alameda residents. In addition, according to the complaint, there was no public information about the advisory posted on the police and city Twitter/X accounts.

Given these two examples of social media messaging failures, it is clear that the city must improve inter-department coordination and public notices on all social media platforms during emergencies to ensure consistent and live updates. For example, police, city, and fire sites should give the same information.

Lack of Testing and Drills

The Grand Jury's investigation revealed that Alameda failed to conduct drills or testing of its emergency response plans, neglecting to follow the guidelines of its own EOP. Obviously, practice tests are good for preparation; they also help determine what may work well or could be improved before an actual emergency. Alameda's 2019 basic EOP identified exercises as a "key component of preparedness." (2019 EOP, p. 20.) It further provided:

> Exercises play a vital role in national preparedness by enabling whole community stakeholders to test and validate plans and capabilities and identify both capability gaps and areas for improvement. A well-designed exercise provides a low-risk environment to test capabilities, familiarize personnel with roles and responsibilities, and foster meaningful interaction and communication across organizations. (*Id.*)

The 2019 basic EOP called for all city employees with emergency management response assignments to participate "annually" in one discussion-based exercise, such as "seminars, workshops, tabletop exercises, and games" at the EOC site. It further directed Alameda to conduct "at least one" operations-based exercise "semi-annually, simulating an actual incident or disaster." Operations-based exercises "include drills, functional exercises, and full-scale exercises," which serve "to practice policies, procedures and decision-making skills." The 2019 basic EOP described the operations-based exercises as "the most effective method of training staff." (*Id.*) The 2026 basic EOP uses the same language and, like the 2019 EOP, requires annual discussion-based and semi-annual operations-based exercises. (2026 EOP, p. 48.)

Despite these plans, however, Alameda failed to conduct exercises as envisioned. It did not conduct semi-annual or even annual exercises, much less any operations-based exercise. One public safety official told the Grand Jury that "I don't really have a good answer" concerning why Alameda had not done drills and functional or full-scale exercises. Instead, the Grand

Jury's investigation disclosed that, in recent years, Alameda had only a few tabletop exercises. Among them, it had an unspecified number of infrequent and "informal" tabletop discussions, involving some staff from one department going through scenarios. Another witness identified two tabletop exercises involving the city's executive team, before the COVID-19 pandemic. Witnesses were clear that Alameda has not conducted any operational drills or tests of its emergency plans, going back at least nearly a decade.

The city's dearth of discussion-based exercises and complete lack of operations-based exercises in recent times shows inadequate emergency preparation. Even ignoring the COVID-19 pandemic years, Alameda let considerable time pass without trying to validate its emergency plans and identify possible improvements. As with any rehearsal, a dry run helps staff and residents understand how to actually respond in an emergency, rather than just try to recall or follow instructions in the turmoil of a crisis.

The Grand Jury agrees that providing everyone with education and information in advance is crucial (and something Alameda also must improve), but those actions are not a complete substitute for drills and testing. Once again, as the EOPs acknowledge, those exercises are "the most effective method of training." Even assuming that Alameda might have the best written plans, they still must be tested, as the city's EOP plans have required. Alameda must start following its EOP in these respects.

Lack of After-Action Reports

As a standard practice, public safety agencies routinely prepare after-action reports reviewing how the agency responded in a particular situation, such as a wildfire. In some situations, state law requires an after-action report. (*See* Govt. Code § 8607(f) (including "review of the public safety response" by OES and involved local agencies in any state-declared disaster); Cal. Code Regs., tit. 19, § 2450(a) (when any local jurisdiction declares an emergency for which the Governor proclaims a state of emergency.) Alameda's basic EOPs refer to this type of "After Action Report" to the state in their Glossary of Terms, but not otherwise. (2019 EOP, p. 77; 2026 EOP, p. 57.) The 2026 basic EOP goes further, with a section discussing preparation and submission of after-action reports only to OES, when required. However, it does <u>not</u> require the preparation of after-action reports in other emergency situations. (*Id*. at pp. 44-45.)

Local public safety agencies often prepare after-action reports on their responses to emergencies, even when the law does not require them or absent an emergency proclamation. For example, Berkeley prepared a 24-page after-action report on its response to the 2024 tsunami. It included a survey of 1,600 residents, along with 16 steps that Berkeley planned to take to improve public education and preparation for tsunamis.

In addition to reviewing an agency's response to an actual emergency, an agency may issue an after-action report after a test or drill exercise. In both circumstances, the Grand Jury found

that Alameda failed to prepare after-action reports. With respect to actual emergencies, the Grand Jury discovered that Alameda has not prepared written after-action reports. Such reports often run several pages, depending on the type of event. They typically cover the background of the incident, detail the emergency response, review how plans were followed or not, discuss strengths and successes, analyze what needs improvement, address recovery efforts, and offer any lesson-learned recommendations. The crux of the report is a self-critical analysis of the agency's response.

Alameda has not prepared such reports following events that triggered an emergency response on a broader level. Pointing to what it considered an after-action report, the city provided the Grand Jury with an incident memo from its fire department concerning a response to a January 2026 gas leak, which resulted in a neighborhood evacuation. The two-page memo was a simple timeline and summary of events, without any analysis, review of the agency's performance, or recommendation. It did not constitute an actual after-action report, as public safety agencies commonly prepare them.

Similarly, after the 2024 tsunami, the Grand Jury learned that fire department staff discussed lessons learned. While that discussion is a positive development, Alameda did not prepare any written report on that incident, in stark contrast to Berkeley's 24-page report with 16 recommended steps.

Insofar as testing and drill exercises, Alameda also has not prepared after-action reports – even though its EOP expressly called for them. The 2019 basic EOP called for "[e]xercise evaluation" to assess "the ability to meet exercise objectives and capabilities by documenting strengths, areas for improvement, core capability performance, and corrective actions in an After-Action Report/Improvement Plan. Through improvement planning, organizations take the corrective actions needed to improve plans, build and sustain capabilities, and maintain readiness." (2019 EOP, p. 20.) The 2026 basic EOP contains the same language but adds that this report "will present to City management an overview of the exercise, the observed strengths and challenges for people and systems, and areas for improvement." (2026 EOP, p. 49.)

The Grand Jury learned that Alameda has <u>not</u> prepared these reports following the exercises. Part of the problem may be that the city did not conduct test and drill exercises in the first place, as discussed, and thus had nothing to report. Still, for the tabletop events that happened, the city did <u>not</u> prepare any after-action reports. In sum, the Grand Jury found that, by not preparing after-action reports, Alameda has missed opportunities to evaluate and improve its emergency response. Further, the city disregarded its own EOP requirements.

Moreover, the Grand Jury finds it perplexing that Alameda's EOP requires after-action reports for test and drill exercises, but not for all actual emergency response situations. Although the 2026 basic EOP was expanded to include the requirement that after-action reports must be made to OES in the event of a Governor's proclamation, Alameda's emergency response

situations are more likely to involve only a local proclamation or no proclamation at all – as with the two tsunamis and the 2026 gas leak. An actual emergency response is much more likely to be informative than a mere exercise. By not requiring or preparing actual after-action reports in those situations, Alameda again misses opportunities for critical analysis and improvement.

CONCLUSION

In the event of an imminent danger like a tsunami, citizens expect to receive some sort of warning from their local government. More importantly, they expect to be informed about where to go and what to do to avoid harm. Ideally, local governments will have provided this information to their citizens in advance, through emergency preparedness training. Local jurisdictions themselves should also be prepared to deal with emergencies through comprehensive and updated emergency planning and regular testing and analysis.

In its investigation, the Grand Jury determined that although Alameda prepared for emergencies, it has not updated its plans in recent years as frequently as recommended. It also failed to adequately test and analyze these plans in order to improve them. Public promotion of its plans has been limited to virtual spaces, such as the city's website and social media accounts, but has not included in-person events likely to reach residents less reliant on the internet or cell phones. Moreover, a recent tsunami alert and warning showed that the city's communications about actual emergencies have not been consistent across all forms of media available, possibly causing confusion.

A new Emergency Operations Plan was approved by the City Council in April 2026. Some of the deficiencies uncovered in this report are addressed in the plan; the city needs only to commit to following its guidelines, particularly those concerning emergency testing and after-action reporting. The release of the plan also offers the city the opportunity to better inform Alameda residents about how to prepare for emergencies so that when they do happen, the city and its residents can work together to minimize harm.

FINDINGS

Finding 26-43:
The city of Alameda has an Emergency Operations Plan (EOP) intended to be flexible enough for use in all emergencies.

Finding 26-44:
An update to the EOP was approved by the city council in April 2026. This is the first update in seven years. Best practice for updating EOPs is every five years.

Finding 26-45:
The city of Alameda has failed to conduct any in-person disaster preparedness training since 2019.

Finding 26-46:
The city of Alameda maintains a voluntary database of residents in need of additional help during a large-scale emergency. The Governor's Office of Emergency Services advises against such databases because they can create a false sense of security.

Finding 26-47:
The 2026 EOP recommends that the city create partnerships with community groups that represent individuals with disabilities in order to ensure an effective response to an emergency.

Finding 26-48:
Unlike neighboring cities, Alameda does not have a siren system to warn residents of disasters.

Finding 26-49:
The city of Alameda has the ability to send emergency alerts to residents via cell phone, land line, email, and text, and to post more detailed information on social media and city websites.

Finding 26-50:
During tsunami warnings in 2024 and 2025, the city of Alameda's social media sites contained little, no, and at times inconsistent messages.

Finding 26-51:
The 2026 EOP includes emergency messaging templates for use across all communication platforms.

Finding 26-52:
Over the past several years, the city of Alameda failed to conduct discussion-based and operations-based exercises to test its emergency plans, as required by its EOP.

Finding 26-53:
The city of Alameda has failed to prepare written after-action reports after informal testing of its emergency response plans or after actual emergencies, missing opportunities to evaluate and improve its response.

Finding 26-54:
The 2026 EOP requires after-action reports for test exercises, but not for responses to actual emergencies.

RECOMMENDATIONS

Recommendation 26-22:
The city of Alameda should update its EOP at least every five years.

Recommendation 26-23:
The city of Alameda must conduct in-person emergency preparedness training and take steps to begin the process within 90 days of receipt of the Grand Jury report.

Recommendation 26-24:
The city of Alameda must expand the reach of emergency preparedness information by, for example, mailing a postcard to all residents, distributing door hangers, and providing inserts in all of the city's electric bills within 90 days of receipt of the Grand Jury report.

Recommendation 26-25:
Rather than maintain a registry of at-risk residents, the city of Alameda must create partnerships with community groups that represent these individuals to ensure an effective response to an emergency.

Recommendation 26-26:
The city of Alameda must improve inter-department coordination and public notices on all social media platforms during emergencies to ensure consistent and live updates. For example, police, city, and fire sites must give the same information.

Recommendation 26-27:
The city of Alameda must use the emergency messaging templates available in the 2026 EOP to provide consistent, reliable information during an emergency.

Recommendation 26-28:
The city of Alameda should further explore the implementation of an emergency siren system for disaster alerts, similar to the systems that nearby cities use.

Recommendation 26-29:
In order to identify vulnerabilities and opportunities for improvement, the city of Alameda must conduct, and then document with a formal after-action report, exercises to test its emergency plans, in accordance with its EOP requirements.

Recommendation 26-30:
The city of Alameda must establish a requirement for its public safety agencies to prepare after-action reports within 90 days for events requiring activation of the Emergency Operations Center.

Responses Required:

Alameda City Council	Findings 26-43 through 26-54 Recommendations 26-22 through 26-30
Mayor, City of Alameda	Finding 26-43 through 26-54 Recommendations 26-22 through 26-30

RESPONSE REQUIREMENTS – CA PENAL CODE SECTION 933.05

Pursuant to California Penal Code section 933.05, the Grand Jury requests each entity or individual named to respond to the enumerated Findings and Recommendations within the specific statutory guidelines, no later than 90 days from the public release date of this report.

As to each Grand Jury finding, the responding person or entity shall indicate one of the following:

(1) The respondent agrees with the finding.

(2) The respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefor.

As to each Grand Jury recommendation, the responding person or entity shall report one of the following actions:

(1) The recommendation has been implemented, with a summary regarding the implemented action.

(2) The recommendation has not yet been implemented, but will be implemented in the future, with a timeframe for implementation.

(3) The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the Grand Jury report.

(4) The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.

JAIL AND IN-CUSTODY HOLDING CELL FACILITIES INSPECTIONS

INTRODUCTION

Under its oversight authority, the Grand Jury inspects jails and in-custody holding cells operated by law enforcement agencies in Alameda County. Penal Code section 919(b) requires the Grand Jury to "inquire into the condition and management" of these facilities.

This year, the Grand Jury inspected the Wiley Manual Courthouse in-custody holding cells, Juvenile Justice Center (JJC) detention facility, East County Hall of Justice (ECHO-J) in-custody holding cells, and Rene C. Davidson Courthouse in-custody holding cells. Overall, the Grand Jury found these facilities to be in excellent condition and well-managed.

WILEY MANUAL COURTHOUSE IN-CUSTODY HOLDING CELLS

The Grand Jury inspected the holding cells at the Wiley Manuel Courthouse in Oakland, which is staffed by the Alameda County Sheriff's Office.

The courthouse holding cells temporarily house detainees while they make pretrial and misdemeanor court appearances. The sheriff transports detainees from Santa Rita Jail in buses carrying 20-25 inmates each, for a total of 30-135 detainees per day. Buses arrive through an enclosed, secure sally port, where detainees disembark. Once unloaded, detainees walk with deputies through the Glenn Dyer Tunnel, which is monitored by cameras, to the holding cells. Detainees spend an average of six hours there. By the end of the court day, detainees return to Santa Rita Jail. There are no overnight stays at the courthouse holding cells.

Bagged lunches are prepared at Santa Rita Jail for each detainee and are distributed as detainees exit their bus. Detainees take the bagged lunches with them to the holding cells.

Each floor of the courthouse with a courtroom also has three separate holding cells. Classification of detainees occurs at Santa Rita Jail. At the courthouse, detainees are separated by classifications and placed in one of the three holding cells accordingly. The holding cells are adjacent to secure meeting areas, where detainees can meet privately with attorneys. The holding cells have a dedicated access door for courtroom entrance and exit.
The Grand Jury observed that the holding cells were clean, with functioning toilets and sinks. Each holding cell had an emergency button to contact the deputies monitoring the in-cell camera, if needed.

The facilities have first-aid kits, automated external defibrillator (AED) stations, and clearly marked, staff-accessible fire extinguishers. Deputies are trained in first aid, CPR, and AED use. In a medical emergency, deputies call 911.

The Grand Jury found that the holding cells at the Wiley Manuel Courthouse meet or exceed expectations for this type of facility. The Wiley Manuel Courthouse is appropriately staffed with knowledgeable, experienced deputies, and the facility is clean, orderly, and well maintained.

JUVENILE JUSTICE CENTER (JJC) DETENTION FACILITY

The Grand Jury inspected the Alameda County Juvenile Justice Center (referred to hereafter as JJC) in San Leandro. JJC is a 24-hour detention facility capable of housing up to 300 detainees between the ages of 12 and 22. Services include academic programming, mental and physical health care, and organized recreation and activities, among others. The Grand Jury's inspection focused on the physical condition of JJC to assess its overall suitability and its ability to meet its stated mission of housing juveniles in a rehabilitative setting.

Overall, the Grand Jury found JJC to be very clean and modern, with up-to-date facilities that appropriately housed juveniles and supported the programs available.

The Grand Jury learned that the average length of stay at JJC is about 90 days. During the Grand Jury's inspection, the facility housed 54 juveniles – 51 males and 3 females. The females have their own unit. JJC also maintains a separate unit for juveniles with special needs (e.g., disabilities, mental health needs, or physical conditions, such as pregnancy) or who may be considered suicidal. The units are organized by age group: (1) ages 12-15; (2) 16- and 17-year-olds; and (3) an older unit for youths aged 18 and over. Gang membership is also a factor in determining where to house a juvenile. Finally, JJC has an "Honors Unit," where juveniles wear street clothes and have greater freedom to participate in programs.

The Grand Jury observed that all units were clean and modern, and in very good physical condition. Each unit has its own bathroom, which was also clean and functioning properly. The units have individual cells surrounding a common area with seating and tables. Some of the areas had books, puzzles, games, and other items out in the open for the juveniles housed there. The juveniles can take daily showers. The shower facilities were clean, with soap, shampoo, and towels available.

JJC has medical/nursing staff on-site around the clock. That staff is affiliated with UCSF. The Hall has three separate rooms for juveniles who are sick or considered infectious (e.g., with COVID-19, but not sick enough to be hospitalized). In addition to the medical staff, the Hall also has the services of a dentist, phlebotomist, and behavioral health specialists. An eye clinic van makes periodic visits. Staff at JJC undergo CPR training. NARCAN and automated external defibrillators (AEDs) are also available.

The Grand Jury found the meal preparation and food storage areas immaculate, and the meals looked nourishing and inviting. JJC offers special diets for juveniles with medical or allergy-related issues. Meals are not cooked at the Hall, but it provides at least two hot meals per day

from an outside service, the Epicurean Group. Each unit has a dining room where meals are delivered. The Grand Jury saw dining facilities that were clean and functional.

There is on-site laundry for the juveniles' clothing, which is color-coded by detention category. The juveniles receive clothing, washcloths, and towels for personal use. They can place their dirty clothes in laundry bins in each unit for laundering, and new clothing is distributed.

There are multiple programming facilities at JJC. They include numerous classrooms for academic learning, ranging from basic education to online community college classes, with one-on-one tutoring available. At intake, JJC assesses juveniles' academic issues and evaluates accommodations. Juveniles with Individual Education Plans (IEPs) for any limitations continue to receive their IEP-listed services where appropriate.

JJC has a large, modern gym for basketball and other sports. It also hosts special events, including those for parents and caregivers. There is a well-stocked library, a music engineering/production room, and a computer room. All academic and specialty rooms were clean and well-stocked with the appropriate equipment. In addition, the Hall features a well-positioned outdoor garden area, staffed by a volunteer and available to interested juveniles.

The facility has a central communications area and 24/7 video cameras throughout. Monitoring cameras are located in the units but not in individual cells or attorney-client consultation rooms. Cameras are also blocked out in the unit bathrooms. The communications center is modern, with up-to-date video capabilities. There is also a “safe room,” monitored both in person and by camera.

The facility provides clean, private rooms for attorney-client meetings and offers Spanish and Cantonese translators, if needed.

In the event of an emergency, such as an earthquake, the facility has a generator that can supply power for approximately five and a half days. It maintains a large supply of bottled water and three days' worth of emergency food. JJC conducts evacuation drills for potential earthquake and fire emergencies on a monthly basis. It has a designated executive team specially trained for such emergencies.

The Grand Jury found the Juvenile Justice Center to be exceptionally clean, neat, and well-stocked with necessities and extensive programs for housing juveniles for an extended period of time.

EAST COUNTY HALL OF JUSTICE (ECHO-J) IN-CUSTODY HOLDING CELLS

The Grand Jury inspected the Alameda County Superior Court East County Hall of Justice (ECHO-J). The facility is located in Dublin, at the county's newest courthouse, near the Santa Rita Jail. The Alameda County Sheriff's Office staffs the facility as well.

The ECHO-J holding cells, within the Superior Court building, temporarily house detainees for up to a few hours during the day when they make court appearances, including felony trials. Although the courthouse is across the street from the Santa Rita Jail, it is not connected to the main jail. The sheriff transports detainees by vehicle to ECHO-J. They arrive through a sally port, where they are unloaded. Detainees with morning court appearances arrive first, typically returning to Santa Rita Jail around noon. Those with afternoon court appearances arrive later. All return to Santa Rita Jail by the end of the court day. Because ECHO-J holding cells are used only when the Superior Court is in session, most detainees remain in the facility for fewer than 4 hours, but never overnight. The entire facility is closed on weekends and holidays.

ECHO-J's holding cells can accommodate up to 150 detainees, with an average daily occupancy of 45-50 people. The facility has 20 holding cells on the lower level, with three to four smaller cells on each floor, all directly attached to the courtrooms. Detainees are transported by secure elevator between the lower-level holding cells and the courtroom holding cells.

All holding cells in the facility are gender-neutral and accessible to persons with disabilities. The sheriff places detainees in holding cell groupings based on their biological sex and other classifications, such as Mainline, Gang, Administrative Custody, or Protective Custody, as determined by Santa Rita Jail staff before transportation to ECHO-J. During the Grand Jury's inspection, holding cells had one, two, or four occupants. Juveniles are not held at this facility.

The holding cells the Grand Jury inspected were clean, with functioning toilets and sinks. They had benches and call buttons. A contracted service cleans the holding cells every evening on workdays.

The sheriff provides bagged lunches to detainees at ECHO-J. The sheriff's office delivers the food daily from Santa Rita Jail.

First-aid kits, AED stations, and fire extinguishers were present, clearly marked, and accessible to staff. Deputies are trained in first aid, CPR, and AED use. Deputies call 911 for any major medical emergency. Deputies reported to the Grand Jury that emergency medical response typically arrives within a few minutes.

The Grand Jury found that the East County Hall of Justice holding cells meet or exceed expectations for this type of facility. ECHO-J is appropriately staffed with knowledgeable, experienced deputies, and the facilities are clean, orderly, and well maintained.

RENE C. DAVIDSON COURTHOUSE IN-CUSTODY HOLDING CELLS

The Grand Jury inspected the holding cells at the Rene C. Davidson Courthouse, the county's main courthouse at 1225 Fallon Street in Oakland. The holding cells temporarily house in-custody defendants while they make their court appearances on felony charges, including for trial.

The sheriff transports detainees from Santa Rita Jail to the courthouse, where they exit the buses through a sally port under the building. Deputies escort detainees to their holding cells, which are assigned by gender and by classifications determined at Santa Rita Jail. Women are held on a separate floor. The detainees arrive at the courthouse with their bag lunches.

In addition to holding cells, men and women each have a main day room. Isolation cells exist, but the Grand Jury learned that they have not been used for a very long time. The total holding cell capacity is 110.

No inmates stay in the holding cells longer than eight hours, with the typical stay between four and six hours. The court makes an effort to hear the cases of the more vulnerable detainees (e.g., pregnant women, people with medical or mental health issues) first to limit their stays. Buses return to Santa Rita Jail at 12:30 p.m., 2:30 p.m., and 5:00 p.m.

The six holding cells can accommodate 12 to 20 detainees. The average number of detainees is about 40 per day, with 60 to 70 on Fridays, when the court usually hears mental health cases. The holding cells are very basic. The courthouse is an extremely old building – built in 1936 – with all the issues that accompany an old facility. Most of the cells contain cement or iron benches, though some have been upgraded. The Grand Jury learned that these upgrades will be completed for all the holding cells shortly. Pregnant detainees receive seating pads and extra jackets, if needed. The holding cells were clean; the Grand Jury was informed that a crew cleans the cells every evening after the detainees return to Santa Rita Jail.

There are a few small attorney interview rooms, which are basic. They have plexiglass partitions, with one room allowing contact.

Heating and air conditioning are available. However, the Grand Jury learned that the holding cells and the main day room on one of the upper floors were consistently hot in the summer and cold in the winter. Portable heaters and fans were sometimes used to address the heat and cold.

There are cameras in all the cells, but the deputies' monitoring area is limited. The Grand Jury learned of plans to expand this area to improve monitoring and upgrade the cameras. If a detainee has been flagged as potentially suicidal, they are monitored every 15 minutes, and a signed log documents this monitoring.

The cell opening and closing system dates back to 1936. It involves manipulating a heavy lever to open all the cell doors in a given pod. This system is being upgraded, one pod at a time, to allow the cell doors to be opened individually.

Deputies are trained in CPR, the use of the AED, and Narcan, which is readily available.
If a detainee's clothing becomes wet or soiled, the sheriff has extra clothing in a full range of sizes in the storage room next to the sally port.

The Grand Jury found that the holding cell areas of the Rene C. Davidson courthouse are adequate, given the building's age. The sheriff's staff appears to be doing as much as possible under the circumstances. However, the Grand Jury observed camera, HVAC, and electrical systems (especially the old cell door-opening system) that need upgrading. The holding cell areas were clean and adequately equipped, albeit minimally. The day rooms were clean and adequate, with tables and benches.

ABOUT THE ALAMEDA COUNTY GRAND JURY

The Alameda County Grand Jury is mandated by Article 1, section 23 of the California Constitution. It operates under Title 4 of the California Penal Code, sections 3060-3074 of the California Government Code, and section 17006 of the California Welfare and Institutions Code. All 58 counties in California are required to have a Grand Jury.

In California, the Grand Jury has several functions:

1. to act as the public watchdog by investigating and reporting on the affairs of local government;
2. to make an annual examination of the operations, accounts, and records of officers, departments, or functions of the county, including any special districts;
3. to inquire into the condition and management of jails and prisons within the county;
4. to weigh allegations of misconduct against public officials and determine whether to present formal accusations requesting their removal from office; and
5. to weigh criminal charges and determine if indictments should be returned.

Additionally, the Grand Jury has the authority to investigate the following:

1. all public records within the county;
2. books and records of any incorporated city or joint powers authority located in the county;
3. certain housing authorities;
4. special purpose assessing or taxing agencies wholly or partly within the county;
5. nonprofit corporations established by or operated on behalf of a public entity;
6. all aspects of county and city government, including over 100 special districts; and
7. the books, records, and financial expenditures of any government agency, including cities, schools, boards, and commissions.

Many people have trouble distinguishing between the Grand Jury and a trial (or petit) jury. Trial juries are impaneled for the length of a single case. In California, most *civil* Grand Juries consist of 19 citizen volunteers who serve for one year and consider a number of issues. Most people are familiar with the *criminal* Grand Jury, which only hears individual

cases and whose mandate is to determine whether there is enough evidence to proceed with a trial.
This report was prepared by a *civil* Grand Jury whose role is to investigate all aspects of local government and municipalities to ensure government is being run efficiently, and that government monies are being handled appropriately. While these jurors are nominated by superior court judges based on a review of applications, it is not necessary to know a judge in order to apply. From a pool of 25-30 accepted applications (from throughout the county), 19 members are randomly selected to serve.

Grand Jury Duties

The Alameda County Grand Jury is a constituent part of the Alameda County Superior Court, created for the protection of society and the enforcement of law. It is not a separate political body or an individual entity of government, but is a part of the judicial system and, as such, each Grand Juror is an officer of the court. Much of the Grand Jury's effectiveness is derived from the fact that the viewpoint of its members is fresh and unencumbered by prior conceptions about government. With respect to the subjects it is authorized to investigate, the Grand Jury is free to follow its own inclinations in investigating local government affairs.

The Grand Jury may act only as a whole body. An individual grand juror has no more authority than any private citizen. Duties of the Grand Jury can generally be set forth, in part, as follows:

1. To inquire into all public offenses committed or triable within the county (Penal Code §917);
2. To inquire into the case of any person imprisoned and not indicted (Penal Code §919(a));
3. To inquire into the willful or corrupt misconduct in office of public officers of every description within the county (Penal Code §919(c));
4. To inquire into sales, transfers, and ownership of lands which might or should revert to the state by operation of law (Penal Code §920);
5. To examine, if it chooses, the books and records of a special purpose, assessing or taxing district located wholly or partly in the county and the methods or systems of performing the duties of such district or commission. (Penal Code §933.5);
6. To submit to the presiding judge of the superior court a final report of its findings and recommendations that pertain to the county government (Penal Code §933), with a copy transmitted to each member of the board of supervisors of the county (Penal Code §928); and,
7. To submit its findings on the operation of any public agency subject to its reviewing authority. The governing body of the public agency shall comment to the presiding judge of the superior court on the findings and recommendations pertaining to matters under the control of the governing body and every elective

county officer or agency head for which the Grand Jury has responsibility (Penal Code §914.1) and shall comment within 60-90 days to the presiding judge of the superior court, with an information copy sent to the board of supervisors, on the findings and recommendations pertaining to matters under the control of that county officer or agency head and any agency or agencies which that officer or agency head supervises or controls. (Penal Code §933(c)).

Secrecy/Confidentiality

Members of the Grand Jury are sworn to secrecy and all Grand Jury proceedings are secret. This secrecy guards the public interest and protects the confidentiality of sources. The minutes and records of Grand Jury meetings cannot be subpoenaed or inspected by anyone.
Each Grand Juror must keep secret all evidence presented before the Grand Jury, anything said within the Grand Jury, or the manner in which any Grand Juror may have voted on a matter (Penal Code §924.1). *The grand juror's promise or oath of secrecy is binding for life*. It is a misdemeanor to violate the secrecy of the Grand Jury room. Successful performance of Grand Jury duties depends upon the secrecy of all proceedings. A grand juror must not divulge any information concerning the testimony of witnesses or comments made by other grand jurors. The confidentiality of interviewees and complainants is critical.

Legal Advisors

In the performance of its duties, the Grand Jury may ask the advice (including legal opinions) of the district attorney, the presiding judge of the superior court, or the county counsel. This can be done by telephone, in writing, or the person may be asked to attend a Grand Jury session. The district attorney may appear before the Grand Jury at all times for the purpose of giving information or advice.

Under Penal Code section 936, the California Attorney General may also be consulted when the Grand Jury's usual advisor is disqualified. The Grand Jury has no inherent investigatory powers beyond those granted by the legislature.

Annual Final Report

At the end of its year of service, a Grand Jury is required to submit a final report to the superior court. This report contains an account of its activities, together with findings and recommendations. The final report represents the investigations of the entire Grand Jury.

Citizen Complaints

As part of its civil function, the grand jury receives complaints from citizens alleging government inefficiencies, suspicion of misconduct or mistreatment by officials, or misuse of taxpayer money. Complaints are acknowledged and may be investigated for their validity. All complaints are confidential. If the situation warrants and corrective action falls within the jurisdiction of the Grand Jury, appropriate solutions are recommended.

The Grand Jury receives dozens of complaints each year. With many investigations and the time constraint of only one year, it is necessary for each Grand Jury to make difficult decisions as to what it wishes to investigate during its term. When the Grand Jury receives a complaint, it must first decide whether or not an investigation is warranted. The Grand Jury is not required by law to accept or act on every complaint or request.

In order to maintain the confidentiality of complaints and investigations, the Alameda County Grand Jury only accepts complaints in writing. Complaints should include the name of the persons or agency in question, listing specific dates, incidents or violations. The names of any persons or agencies contacted should be included along with any documentation or responses received. Complainants are encouraged to include their names and addresses in the event the Grand Jury wishes to contact them for further information.

A complaint form can be obtained from the Grand Jury's website:
https://grandjury.acgov.org/submit-complaint/

An acknowledgment letter is routinely sent within one week of receipt of a complaint.

How to Become a Grand Juror

Citizens who are qualified and able to provide one year of service, and who desire to be nominated for Grand Jury duty, may complete an application found on the Grand Jury website. Based generally on supervisorial districts, a total of 30 nominees are assigned for Grand Jury selection. After the list of 30 nominees is completed, the selection of 19 jurors who will be impaneled to serve for the year are selected by a random drawing. This is done in late June before the jury begins its yearly term on July 1.

To complete an online application, please visit: https://grandjury.acgov.org/join-us/

Qualification of Jurors

Prospective grand jurors must possess the following qualifications pursuant to Penal Code section 893: be a citizen of the United States; at least 18 years of age; a resident of Alameda County for at least one year immediately before being selected; possess ordinary intelligence, sound judgement and fair character; and possess sufficient knowledge of the English language. Other desirable qualifications include: an open mind with concern for others' positions and views; the ability to work well with others in a group; an interest in community affairs; possession of investigative and computer skills; the ability to write reports; and a general knowledge of the functions and responsibilities of county and city government.

A person may not serve on the Grand Jury if any of the following apply: the person is serving as a trial juror in any court in the state; the person has been discharged as a grand juror in any court of this state within one year; the person has been convicted of malfeasance in office or any felony or other high crime; or the person is serving as an elected public officer.

Commitment

Individuals selected for Grand Jury service must make a commitment to serve a one-year term (July 1 through June 30). Grand jurors should be prepared, on average, to devote approximately 20-30 hours each week to Grand Jury work. Grand jurors are required to complete and file a Statement of Economic Interest as defined by the state's Fair Political Practices Commission, as well as a conflict-of-interest form. Grand jurors are paid $15.00 per day for each day served, as well as a county mileage rate (currently 70 cents per mile) portal to portal, for personal vehicle usage.

Persons selected for the Grand Jury are provided with an extensive, month-long orientation and training program in July. This training includes tours of county facilities and orientation by elected officials, city and county department heads, and others. The orientation and training, as well as the weekly Grand Jury meetings, currently follow a hybrid schedule with most meetings being held remotely via the Teams and Zoom platforms, and some meetings being held in person in Oakland. Selection for Grand Jury service is a great honor and one that offers an opportunity to be of value to the community.

HOW TO RESPOND TO FINDINGS & RECOMMENDATIONS IN THIS REPORT

RESPONSE REQUIREMENTS – CA PENAL CODE SECTION 933.05

Pursuant to California Penal Code section 933.05, the Grand Jury requests that each entity or individual listed in each report contained in this volume respond to the enumerated Findings and Recommendations within the specific statutory guidelines - no later than 90 days from the public release date of this report.

As to each Grand Jury finding, the responding person or entity shall indicate one of the following:

(1) The respondent agrees with the finding.

(2) The respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefor.

As to each Grand Jury recommendation, the responding person or entity shall report one of the following actions:

(1) The recommendation has been implemented, with a summary regarding the implemented action.

(2) The recommendation has not yet been implemented, but will be implemented in the future, with a timeframe for implementation.

(3) The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the Grand Jury report.

(4) The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.

SEND ALL RESPONSES TO:
Presiding Judge Michael Markman
Alameda County Superior Court
1225 Fallon Street, Department One
Oakland, California 94612

A COPY MUST ALSO BE SENT TO:
Casey Bates
c/o Alameda County Grand Jury
1401 Lakeside Drive, Suite 1104
Oakland, California 94612

All responses for the 2025-2026 Grand Jury Final Report must be submitted no later than 90 days after the public release of the report.