

SACRAMENTO COUNTY GRAND JURY CONSOLIDATED REPORT 2024 – 2025



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**SACRAMENTO COUNTY
GRAND JURY**

June 30, 2025

Dear Judge Awoniyi,

It is an honor and privilege to submit the 2024-2025 Sacramento County Grand Jury final reports. This package of reports – four in all – represents thousands of hours of work involving extensive research and inquiries by the 19-member Grand Jury over a 12-month period.

These investigative reports reflect the belief and determination that this County's elected leaders must continue to be held accountable for their actions and, in some cases, their inaction. Please be assured the Grand Jury took seriously its role to serve as the "public watchdog" and eagerly embraced the trust to which it was given.

As practiced by the previous two Grand Juries, the investigative reports were released as they were completed, as opposed to one end-of-term consolidated report. This practice is deliberately intended to shine a brighter spotlight on the issues the Grand Jury uncovered in its four investigations, increase the public's awareness, and create demand for change.

Thank you, Judge Awoniyi, and a special thanks to Judge Steven Gevercer for his generous support as our Advisory Judge. Our gratitude also goes to Assistant County Counsel June Powells-Mays, who was unfailingly available to us for legal interpretations, and to Public Information Officer Brandy Boyd for expertise in media coverage.

Finally, the Grand Jury would probably devolve into chaos without the experienced guidance of our Grand Jury Coordinator, Erendira "Endy" Tapia-Bouthillier. Thank you, Endy, for your patience and flawless support.

Respectfully yours,

Elizabeth TenPas, Foreperson
2024-2025 Sacramento County Grand Jury

ADDING INSULT TO INJURY: THE SYSTEMATIC FAILURE OF THE SACRAMENTO COUNTY BATTERER'S TREATMENT PROGRAM

May 14, 2025



SUMMARY

The goal of the Batterer's Treatment Program is to stop violence; but is this being met?

For over 30 years, California Penal Code section 1203.097 has required defendants who are convicted and granted formal probation in felony domestic violence cases to complete a 52-week certified Batterers' Treatment Program (BTP). The goal of the BTP is to stop domestic violence by educating and rehabilitating the offender; changing the offender's beliefs, thoughts, and/or behaviors; enhancing victims' safety; and reducing the likelihood of further violence. State law requires that the Probation Department oversee and supervise the BTP and establish standards for batterers' treatment providers to ensure that they comply with state law and operate effectively.

The BTP of the Sacramento County Probation Department (Probation), which is housed in the Family Violence Unit, is not fulfilling its mission due to inadequate management and an outdated, ineffective approach to treatment. The BTP has remained virtually unchanged since its inception 30 years ago.

The Grand Jury has found supervision of offenders and contracted providers by the Family Violence Unit is severely lacking, undermining the program's goals and effectiveness. Probation officers are not performing provider site visits and the process of collecting, storing, and analyzing data is deficient, resulting in unreliable data that cannot be trusted to provide a true picture of how the program is doing.

In California, the funding for domestic violence programming relies primarily on the individual who committed the crime; the state provides no funding to the BTP. This approach derives from the retribution goal of the "Offender Pays Model" as identified by California State Association of Counties (CSAC). Domestic violence offenders are expected to pay for the program on a sliding scale pay model, contributing to sporadic attendance and a high dropout rate.

In the process of investigating the BTP, the Grand Jury discovered there is a pilot program currently being tried in six other California counties to assess the effectiveness of alternative approaches to the standard BTP methodology. The pilot program places the emphasis on risk assessment for more accurate direction of services, treatment, courses, and monitoring.

The original concept of the BTP was that domestic violence would be reduced by having offenders attend classes and group counseling. Effective rehabilitation of domestic violence offenders is imperative to reduce recidivism and to provide offenders with the tools to reduce their propensity towards repeated violence.

But the reality is that after 30 years, the failure rate is extremely high and there is little evidence that the original concept reduces domestic violence.

BACKGROUND

Domestic violence is one of the most complex issues facing society today. According to the CDC, one in four women and one in seven men will be victims of domestic violence. It is prevalent in every community, regardless of socioeconomic status, gender, race, religion, or nationality, and can result in physical injury, psychological trauma, increased healthcare costs, increased homelessness of women and children, and even death. In the US alone, on average, nearly 20 people per minute are physically abused by an intimate partner, and in California, domestic violence makes up 20% of all violent crime.

California Penal Code Sets BTP's in Motion

The Batterers Treatment Program (BTP) was established over 30 years ago with the enactment of California Penal Code section 1203.097. As a condition of probation, the statute requires courts to order offenders convicted of domestic violence (DV) to complete a 52-week program of classes within 18 months, which includes counseling

and group therapy. County probation is required to establish and maintain the BTP. The statute has detailed requirements that county probation departments must meet.

Sacramento County's BTP

The BTP's therapy approach has not changed for 30 years in Sacramento County. The BTPs in Sacramento County primarily use an educational model approach in group settings. This model focuses on education, accountability, and community coordination. It is not based on academic research and has been widely debated with mixed reviews as to its effectiveness to change behavior and reduce recidivism. Sacramento County does not administer a risk assessment tool to determine the offender's risk of reoffending. Each offender must complete the 52-week course regardless of the offender's threat to the community, as is required by the statute.

The Family Violence Unit of the Sacramento County Probation Department oversees domestic violence offenders and the BTP. According to Probation in September 2024, they supervised approximately 2800 individuals. Of that number, about 770 (28%) are BTP participants. Probation keeps statistics on all DV offenders in the Family Violence Unit, but it does not keep separate statistics for the BTP participants.

Sacramento County Probation selects counseling providers who apply and meet specific requirements to be BTP providers. These providers conduct classes and hold group sessions in a classroom setting. Each provider decides on the instructional schedule of its program within the state mandated framework. Probation is required to oversee the providers by confirming adherence to the State mandated minimum requirements. Probation is allowed to set additional requirements that the providers must follow. For example, in Sacramento County, Probation requires that the providers conduct only in-person meetings. Any type of a video conference meeting is not allowed for the counseling sessions.

The providers set their rates based upon a standardized sliding scale. Offenders can choose providers based on location, driving time, and the rate that providers charge. There are currently six providers in Sacramento County.

Probation is required to design and implement an approval and renewal process of Batterer's Programs, in addition to soliciting input from criminal justice agencies and domestic violence victim advocacy programs, as per the statute. Probation's standards and procedures also require unannounced monitoring of sessions and auditing of client's files and supporting records, in order to confirm program adherence.

All providers are required to obtain an initial approval from Probation. Thereafter, they have the opportunity to re-apply annually in order to remain in the BTP. By paying a

renewal fee and submitting required documents such as proof of training, licenses, insurance, office leases, a Provider may automatically remain with the program.

Per the Penal Code and the Sacramento County Probation Department, Batterer's Program Standards and Procedures, each BTP is required to submit weekly statistics to the Probation Department, which consist of a list of new client referrals and terminated cases with the reasons for termination.

Participants Must Pay Per Statute

The costs that offenders must pay to participate in the BTP include registration and set up fees, program costs per session, fines, and court fees. Offenders pay providers directly for each session they attend. This is commonly referred to as the "Offender Pays Model". The total annual program cost to the offender, including counseling, court fees, and fines is over \$2,000. This is the only court mandated program that requires the offender to pay.

State Review Found Current System is Ineffective

Following a 2022 review by the Auditor of the State of California, a letter was sent to the California Governor and State Legislators that identified the current system of Batterer's Intervention Programs as failing. The report found that probation departments, courts, and providers had limited impact in reducing domestic violence, and that the program could improve significantly with "statewide guidance and oversight."

In 2012, a Crime and Justice Institute report questioned the effectiveness of a court-mandated BTP, due to the high rates of domestic violence recidivism. That report noted, "Domestic violence is a complicated community problem, and we have yet to figure out what works for effectively intervening with batterers to reduce recidivism or altering batterers' attitudes about violence".

In 2021, the Little Hoover Commission on California State Government Organization and Economy found that California lacked a coordinated cohesive strategy to prevent domestic violence. It identified problems with the BTP, including language barriers, availability, and cost that make it difficult for offenders to attend. The Commission called on the State to begin a process to determine how to tailor rehabilitative services to individual needs.

Based on the problems counties had experienced with the BTP, the California State Association of Counties (CSAC) received permission to initiate a pilot program in 2019 to try a new approach. This pilot program is authorized by California Penal Code section 1203.099, which was added by Assembly Bill 372 (AB 372) in 2018. Six counties were

enrolled in the pilot project and they were given flexibility in how they programmed and engaged with batterers, in the hopes of reducing the rates of reoffending. The participating counties are Napa, San Luis Obispo, Santa Barbara, Santa Clara, Santa Cruz, and Yolo.

Each county in the pilot program took a different approach, but in general they classified offenders into risk categories and allowed low risk offenders to attend the BTP 26 weeks or less, rather than the 52 weeks set in statute. Overall, 43% of the offenders were allowed to attend BTP for 26 weeks, and sometimes even shorter periods of time.

METHODOLOGY

The Grand Jury conducted research and collected data to better understand the nature of the laws, rules, and regulations pertaining to the procedural operations of the BTP including, but not limited to:

- California Penal Code sections 1203.097 and 1203.098
- California Assembly Bill 372
- California State Association of Counties publications
- California Family Code section 6211

The Grand Jury reviewed numerous academic reports on domestic violence and treatment options.

The Grand Jury reviewed numerous documents pertaining to the BTP and the pilot program including, but not limited to:

Documents from Sacramento County Probation Department, including:

- Sacramento County Probation Department Batterer's Program Standards and Procedures, 2023
- Sacramento County Probation Department's List of Approved Providers as of October 2024
- Batterer's Program Provider Certification
- Batterer's Standards and Procedures (2023)
- Tailoring Domestic Violence Programs to Reduce Recidivism

Documents from BTP providers, including:

- Sacramento County Probation Department Domestic Violence Intervention Program Case File Audits (2021, 2022, and 2023)
- Provider Certification of BTP from Sacramento County Probation
- Provider Annual Renewal Checklist

- Quarterly Report Format
- Statistics provided by providers regarding completion and failure rates
- Sample of work book curriculums and sample exit exam

The Grand Jury conducted in-person interviews with individuals who gave direct, first-person testimony and perspective in the operations of, problems with, and possible improvements to the BTP:

- Sacramento County Probation Department
- Sacramento County BTP providers
- Yolo County Probation Department
- A Yolo County pilot program provider
- The California State Association of Counties

DISCUSSION

The BTP Failure Rate is High

Probation estimates that the BTP failure rate could be as high as 95%. Statistics received from three Sacramento County providers were confusing and inconsistent, indicating that their completion rates were just under 20%, 43%, and 45%. The average completion rate among those three providers was 36%, making the overall failure rate 64%. In sum, over half of all offenders sentenced to the BTP fail to complete the 52-week regimen.

The BTP Focuses on Punishment Rather than Rehabilitation.

Sacramento Probation primarily uses the Duluth Model for domestic violence intervention, which was developed in the 1980's by a small group of activists in the battered women's movement. The Duluth program intervention is an educational approach administered through group-facilitated sessions using curriculum guides and various tools like journals, exercises, and video vignettes to facilitate this process. It is not considered to be an evidence-based intervention, meaning that it has not been proven to be effective through scientific research.

The theory underlying the Duluth model is that men use violence to assert power, control, and dominance over their partners. It views assault as a choice made by men acting in concert with patriarchal attitudes that normalize male dominance and aggression. The model assumes that domestic violence does not come from underlying causes, such as emotional and psychological problems, substance abuse, life stressors or dysfunctional relationships. As a result, it tends to be more confrontational, focusing

more on punishment rather than rehabilitation. The model also neglects women's violence and violence with same-sex partners.

The pilot program, which is discussed in detail later on in this report, is using a cognitive behavioral therapy (CBT) model. CBT is a well-established and widely used psychological treatment that is based on research and clinical practice. Although primarily focused on present day problems and solutions, it takes into consideration an individual's past and early learning experiences, along with socioeconomic factors that shape present day thoughts, feelings, and behaviors.

Studies have shown that between 40%-60% of domestic violence involves alcohol or drug use and individuals with a drug use disorder are four to ten times more likely to perpetrate violence than non-drug users, and 33% of offenders experienced domestic violence as a child.

Antisocial and borderline personality disorder traits, PTSD, and depression are closely associated with the perpetration of domestic violence and are often predictive of who recidivates after completing a BTP program.

CBT treatments involve working to change harmful thinking and behavioral patterns. It focuses on how to help the offender understand their current state, and how to effectively cope with life moving forward. CBT works to engage offenders in skill-building in the areas of communication, social skills, non-violent assertiveness, and anger management techniques (e.g., time-outs, relaxation training), and learning how to build and maintain positive relationships.

Because batterers come from different walks of life, and have different life experiences, they cannot all be treated in the same way. To address this, there are different models and strategies under the CBT umbrella to personalize treatment for the offender and tailor it to meet the offenders' needs.

Sacramento BTPs do not have uniformed treatment approaches among providers. For example, one provider interviewed uses a Duluth educational approach while another uses mixed models of both the Duluth and CBT approaches.

The BTP Program is Stagnant and Has Failed to Evolve

The BTP program in Sacramento County has had virtually no change in treatment intervention (method, curriculum, and philosophy/approach) since its inception. There is no standardized assessment tool to determine the offender's risk for reoffending at the

completion of the program. On the other hand, Yolo County uses the Ontario Domestic Abuse Risk Assessment (ODARA) tool. This risk assessment focuses on the likelihood of the offender committing a future act of domestic violence on the same partner.

Sacramento County Probation admitted the current BTP is not successful. Probation indicated that the counseling curriculum is antiquated and mostly done by lecture with little interactive learning. In addition, it needs to be more intensive and CBT focused. Probation noted there also needs to be a change in the penal statute, to allow for more flexibility in the length of the program to accommodate risk factors and eliminate the Offender's Pay Model.

The Six County Pilot Programs Offer Hope

The AB 372 pilot program authorized by state law became operative on July 1, 2019, and will be repealed on July 1, 2026, unless extended by the Legislature. The program allows six pilot counties to provide an alternative new treatment tailored to offenders' risks, their likelihood of reoffending, and personal needs. Sacramento County is not one of the counties participating in the pilot program.

AB 372 allows pilot counties, such as Yolo County, to have flexibility to tailor the length and intensity of batterers treatment programs using the principle of Risk-Needs-Responsivity (RNR). RNR is an assessment tool, which can be used both before and after completion of treatment, to evaluate the risk of reoffending, identify factors that contribute to criminal behavior, and determine the most appropriate and effective intervention based upon the offenders' characteristics. RNR maximizes the offender's ability to learn from a rehabilitative intervention by providing cognitive behavioral treatment and tailoring the intervention in the learning style, motivation, abilities and strengths of the offender. The principle of RNR suggests that interventions be tailored to an offender's individual risk level, with high-risk individuals receiving more intense services than low-risk offenders.

The long-term goal of the participating pilot counties is to develop new perspectives on what works to change program participant behavior. Recent data from the pilot counties show nearly 60% of offenders are high to medium risk to re-offend, with 40% at low risk. Understanding these risk factors helps to determine tailored services, level of inter-agency support, and levels of supervision needed.

When batterers' intervention programs are effective, they can help reduce recidivism, stop generational cycles of abuse, support victim safety, and give offenders a path back to society and family.

Certification Requirements and Monitoring of the Providers Are Inadequate

Probation approves enrollments and referrals of Probationers to providers pursuant to the Penal Code 1203.097. Probation is the sole authority for the approval, denial, suspension or revocation of a provider. State law requires county probation departments to design and implement a provider approval and renewal process that suits their needs. Sacramento County Probation Department requires the absolute minimum monitoring of the providers.

The only provider requirements implemented by the Sacramento County Probation Department for facilitators are:

- a 40-hour basic training
- a 104-hour supervised group facilitator
- continuing education of 16 hours each year, with a minimum of eight hours in domestic violence

State law also requires that if Probation finds a provider to be out of compliance, Probation must notify the provider in writing with a required response time of 14 days. Based on interviews with three BTP providers and Probation, the Grand Jury is unaware of any provider being terminated for the past several years. This allows for very minimal oversight and verification that a current program is effective.

A formal Request for Qualifications (RFQ) is a process that includes a written request for proposals based on qualifications, expertise, and the ability to perform a specific project or service provided by vendors. Many governmental entities utilize an RFQ process to ensure the most qualified individuals are providing services. During the investigation, the Grand Jury learned that Probation does not utilize any such formal type of procurement process for providers, but rather maintains the same providers year after year. Only if a provider chooses to exit the program entirely does Probation entertain the selection of a new provider.

The Grand Jury has found that in the past year Probation has conducted little or no monitoring of providers. Although it is the duty of Probation Officers to go to the homes of Domestic Violence offenders on a regular basis, Probation does not practice the same diligence in monitoring the providers of the BTP. It was noted during the investigation that there is no annual report from Probation for the BTP or the providers. The providers monitor themselves and are the sole reporters of the completion and certification of an offender in the program.

Probation conducts a quarterly meeting for BTP providers. Prior to the quarterly meeting, the providers are required to provide data documenting the participation and

failures of each enrollee. Providers should be entering this information into the Sacramento County Domestic Violence portal on a weekly basis, as called for in the Sacramento County BTP Standards and Procedures. The Grand Jury has learned that this is not occurring and that data storage and record keeping procedures are lacking.

Due to staffing constraints, monitoring of the providers consists only of an annual visit by the Probation Department to ensure that all of the documentation is in order. There were no records of any visits for at least one year; however, the Grand Jury did learn that moving forward, Probation plans to conduct two site visits per year.

The Offender Pays Model is a Barrier to Completion

Penal Code section 1203.097 requires offenders sentenced to the BTP to pay a fee for each weekly session. This is called the "Offender Pays Model". The batterer is responsible for all fees associated with the program. It is the only State mandated program for which the offenders are required to pay for their own treatment.

A study by California State Association of Counties (CSAC) found nonpayment of fees was frequently cited as a reason for termination from the BTP. This is problematic because 40% of offenders are unemployed. This leads to the concern that offenders may be unable to afford BTP services. It also increases the risk of offenders selecting providers based on cost rather than the ability to meet the offender's specific needs

In Sacramento County, as is the case in most other counties in California, providers require offenders to pay all fees to receive their certification of completion. The inability to pay may cause some offenders to be unable to obtain certificates of completion which are required by the court, therefore risking incarceration for violating conditions of probation.

In the six-county pilot program, 90% of providers require that all fees be paid prior to the offenders' receiving a proof of completion. A 2023 survey conducted by CSAC of 40 counties found that 56% of the counties surveyed offered a county-funded fee payment waiver. The pilot programs in Santa Cruz and Santa Clara have taken steps to subsidize providers for indigent offenders. Counties that offered subsidies obtained funding from the Community Corrections Performance Incentive Act (SB 678) and The Community Corrections Partnership (CCP).

Penal Code section 1203.097 allows the Court to waive or reduce a provider's fee if it finds the Offender does not have the ability to pay even a nominal fee. With a reduced fee the provider or the county have to absorb the full cost to attend the program. In Sacramento County, it is up to the Provider to ultimately accept the lower payment. Below is the sliding fee scale from Probation's Standards and Procedures Manual.

Gross Monthly Household Income	Weekly Counseling Fee	Gross Monthly Household Income	Weekly Counseling Fee
\$00-\$250	\$0	\$750-\$799	\$17
\$251-\$449	\$10	\$800-\$999	\$20
\$450-\$499	\$11	\$1000-\$1199	\$25
\$500-\$549	\$12	\$1200-\$1399	\$30
\$550-\$599	\$13	\$1400-\$1599	\$35
\$600-\$649	\$14	\$1600-\$1799	\$40
\$650-\$699	\$15	\$1800-\$2000	\$45
\$700-\$749	\$16		

Sliding Fee Scale

The Grand Jury was unable to verify the frequency of waivers allowed by the Sacramento Superior Court since the Superior Court declined to be interviewed. However, Probation estimates that the Sacramento Superior Court authorizes two to three waivers a week of which the cost is born by the providers. This amounts to approximately 20% of the total number of offenders. These fee waivers or subsidies increase the likelihood of an Offender completing the program but they also place a financial burden upon the providers.

Online Meetings May Improve Participation

Fifty-two percent of the counties in California allow offenders in the BTP to complete the curriculum online. According to CSAC, in the pilot program 30% of offenders attend classes in-person, 40% of offenders participate online exclusively, and the remaining 30% of offenders use a hybrid combination of in person and online. This means that in the pilot program 70% of offenders use some form of video conferencing, at least part of the time.

Sacramento County discontinued an online or hybrid option after the Covid pandemic. Probation now requires offenders to attend all BTP sessions in person. Online meetings would relieve some of the financial burdens associated with attending in person meetings. They are especially helpful for those offenders who do not live in Sacramento County and incur the costs of travel to get to in person meetings. Probation addresses this concern by allowing offenders to participate in in-person meetings in other counties. However, this is not a realistic option since nearby counties (for example, Yolo and Placer) use on line meetings not allowed by Probation for Sacramento County Offenders.

To alleviate privacy concerns and ensure participation, Yolo County has set specific rules for offenders when attending online. The offender is required to pan the room prior

to the meeting to show that he or she is alone and during the meeting the offender must show his/her face and be engaged the entire time.

Online meetings are also more cost effective for providers. One provider has recently left Sacramento County due in part to Probation's refusal to allow online meetings. This same provider participates in BTPs in Yolo and Placer Counties which allow online meetings.

Probation Is Making Positive Improvements

During the course of its investigation, the Grand Jury learned that Probation has taken the initiative to make several positive changes to the BTP. The Grand Jury would be remiss without mentioning these improvements. They are as follows:

- The first improvement Probation initiated was to address the offenders' practice of providing the Court with fake provider enrollment forms. Probation met with the Court, the District Attorney, and the Public Defender to develop a system to eliminate offender submission in its entirety. Now all documents dealing with the BTP are submitted to the Court by Probation rather than by the offender.
- Probation has instituted a sanction of three days on the Sheriff's Alternative Work Program (AWP) for an offender's first termination from a BTP, due to unexcused absences. Prior to this modification, the offender would be referred back to the Court on a violation of probation. The offender is now not referred to the Court but rather required to complete the AWP prior to his or her being re-admitted into the program.
- In the past, Probation would seldom, if ever, appear in court to advise the judge of its recommendations on violations of probation. Probation now attends court at least once a week to advise the Judge of its recommendations on any particular case and to verify the accuracy of an offender's statements to the Court.
- In the past, meetings between the providers and Probation have been sporadic to non-existent. Probation plans to double the number of site visits from one to two per year, in addition to re-instituting quarterly provider meetings.

Finally, Probation is exploring options to offer in-house BTP for indigent offenders. Probation would waive any cost per session to the offenders. Probation would also provide bus passes so that indigent offenders could get to the session free of transportation cost. The Grand Jury was advised that the cost for this program would come out of Probation's current budget.

There is much improvement necessary to change the direction of domestic violence treatment in Sacramento County. A decades old system of dealing with violators, accompanied with the bare minimum effort of maintaining the program is not serving anyone well. The impending results of the Six-County pilot program may offer a mechanism for reshaping the BTP.

FINDINGS

- F1. The Grand Jury finds that as of December 2024, the Probation Department has failed to keep complete and accurate records resulting in an inability to track and evaluate data in the areas of offender recidivism, attendance, and completion/failure rates. (R1)
- F2. The Grand Jury finds the BTP in Sacramento County uses an antiquated, ineffective, one-size-fits-all approach, resulting in a high failure rate. (R2)
- F3. The Grand Jury finds Probation's failure to perform a risk assessment at the conclusion of the BTP prevents an accurate determination of the offender's potential to reoffend. (R3)
- F4. The Grand Jury finds Probation has failed to require that providers implement one type of an evidence-based program which has resulted in inconsistent counseling methods. (R4, R7)
- F5. The Grand Jury finds Probation's inadequate oversight of the certification of providers has resulted in providers being re-approved year after year without an assessment of their competency. (R5, R6)
- F6. The Grand Jury finds reliance on the Offenders-Pay- Model creates a financial barrier, thereby inhibiting the offender's ability to enroll and complete the program and creating a financial burden for some providers. (R8)
- F7. The Grand Jury finds Probation's refusal to allow online meetings under any circumstances serves as a barrier to BTP completion by offenders and presents financial hardships for some providers. (R9)
- F8. The Grand Jury finds Probation lacks an in-house BTP that would enable indigent offenders to avoid weekly fees and receive their certification of completion in a timely manner. (R10)

RECOMMENDATIONS

- R1. The Grand Jury recommends Probation and providers collect and record all data regarding offender's recidivism, attendance, participation, and completion and input it in the BTP portal on a weekly basis starting January 1, 2026. (F1)
- R2. The Grand Jury recommends Probation initiate a risk assessment evaluation for appropriate placement of offenders in a BTP tailored to meet individual needs by January 1, 2026. (F2)
- R3. The Grand Jury recommends Probation add a risk assessment at the conclusion of the BTP by January 1, 2026, to determine the effectiveness of the program and increase support and treatment opportunities for those likely to reoffend. (F3)
- R4. The Grand Jury recommends Probation require all providers follow an evidence-based model that addresses individual needs by January 1, 2026. (F4)
- R5. The Grand Jury recommends that Probation implement a provider application and approval process, to include a formal Request for Qualifications (RFQ), for the certification and re-certification of providers by January 1, 2026. (F5)
- R6. The Grand Jury recommends Probation solicit input from criminal justice agencies and domestic violence victim advocacy programs as required by statute for the development of the RFQ by January 1, 2026. (F5)
- R7. The Grand Jury recommends Probation collaborate with neighboring counties, especially those taking part in the pilot program such as Yolo County for shared knowledge and training of providers in the use of CBT by January 1, 2026. (F4)
- R8. The Grand Jury recommends Probation request funding from the Community Corrections Act (SB 678) and the Community Corrections Partnership (CCP) and any state, federal, or other grant issuing entities to help subsidize payment of BTP fees for indigent offenders by June 30, 2026. (F6)
- R9. The Grand Jury recommends Probation initiate hybrid video conference BTP meetings for offenders by January 1, 2026. (F7)
- R10. The Grand Jury recommends Probation initiate an in-house BTP for offenders that meets the all of the conditions set forth in Penal Code Section 1203.099(a) by January 1, 2026. (F8)

REQUIRED RESPONSES

Pursuant to Penal Code sections 933(a) and (c) and 933.05, the grand jury requests responses as follows. From the following "agency head" as specified in Penal Code section 933(c) within 60 days, for all Findings and Recommendations:

- Interim Chief Probation Officer Julie Wherry
Sacramento County Probation Department

8745 Folsom Boulevard

Sacramento, CA 95826
(All findings and recommendations)

Pursuant to Penal Code sections 933 and 933.05, the grand jury requests a response from the following "governing body" as specified in Penal Code section 933(c) within 90 days, for all Findings and Recommendations:

- Sacramento County Board of Supervisors
700 H Street, Suite 2450
Sacramento, CA 95814
(All findings and recommendations)

Mail or deliver a hard copy response to:

The Honorable Bunmi Awoniyi
Presiding Judge Sacramento County Superior Court
720 9th Street Sacramento, CA 95814

Email the response to:

Ms. Erendira Tapia-Bouthillier
Sacramento County Grand Jury Coordinator
Email: TapiaE@saccourt.ca.gov

Reports issued by the Grand Jury do not identify individuals interviewed. Penal Code section 929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Grand Jury.



ARE SACRAMENTO COUNTY SCHOOLS LEAVING MILLIONS OF DOLLARS FOR ARTS EDUCATION ON THE TABLE?

May 16, 2025

SUMMARY

Public schools in Sacramento County receive nearly \$40 million each year to increase instruction in visual and performing arts. This is the result of the passage of Proposition 28, which was approved by voters in November 2022.

In Sacramento County, Proposition 28 was approved by 65% of the voters, underscoring the importance of ensuring that our schools take full advantage of this funding. This strong support reflects a growing awareness that arts and music education is not merely a “nice to have” addition to the school day. Rather, it is increasingly seen as an important part of the core curriculum.

Studies show arts and music education play a critical role in helping children succeed in school and later in life. With arts and music education, students do better in math, reading, and other academic subjects; learn to think creatively and critically; and have better attendance, self-confidence, and mental health. Increased participation in arts and music education is also associated with fewer behavioral and disciplinary problems.

Proposition 28 funds may be used only to increase total school spending on arts education, including visual arts, music and other performing arts. Specific rules govern how the funds may be spent. For example, at least 80% of the funds must be spent on teachers or other instructors, and no more than 20% may be spent on supplies and materials, such as band instruments, easels, and kilns. Schools also must comply with various reporting and audit requirements to ensure the new funds are spent as required.

Because of the well-documented importance of arts education, the strong public support for Proposition 28, and the significant amount of money at stake, the Grand Jury investigated the extent to which schools are taking advantage of this funding. In general, the investigation found schools can do a better job of implementing both the letter and the spirit of law, especially in the areas of program planning and hiring, transparency in reporting, and parental involvement. The investigation also found some technical violations of Proposition 28 that could result in the loss of funding if not corrected.

In addition, one budget practice that is common among schools, and which undermines the intended effect of Proposition 28, could expose schools to legal action and have significant negative fiscal consequences. A lawsuit challenging this practice has already been filed in Los Angeles County.

BACKGROUND

The purpose of Proposition 28 is to increase total spending on visual and performing arts education in California's public schools, thereby expanding learning opportunities for students. Accordingly, schools are required to use Proposition 28 funds to **increase** and **not replace** existing spending for arts education.

The California Department of Education allocates approximately \$938 million (1% of existing general-purpose state funding) each year to schools specifically for Proposition 28. Sacramento County schools receive approximately \$40 million each year from this measure. Disbursement of funds began in the 2023-2024 fiscal year.

California law already has a minimum level of arts education that schools must provide. Specifically, California Education Code (EC) section 51210 (a) (5) requires the curriculum in grades 1 to 6 to include a sequence of instruction in the subjects of dance, music, theatre, and visual arts. All students in grades 1 to 6 must receive this sequence of instruction. In grades 7 to 12, schools must offer art instruction in the same four categories. That means, for this grade span, students must have access to, but are not required to take the full sequence of arts instruction.

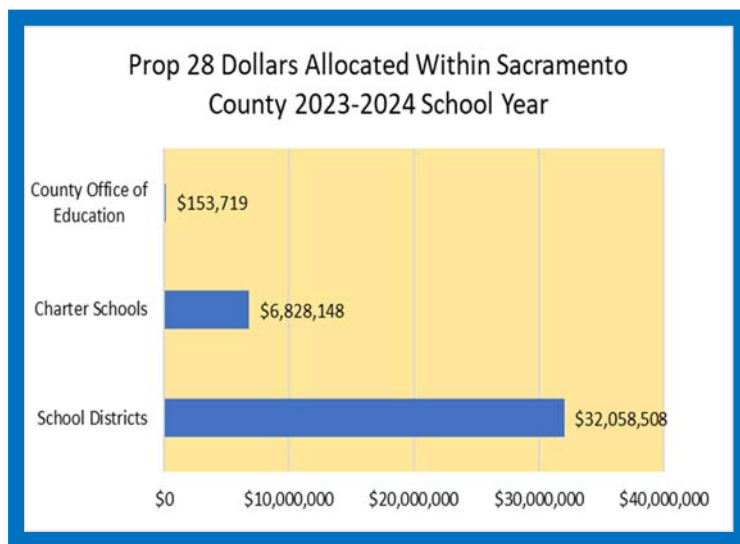
Studies show only 11% of students in grades 1 to 6 are provided the full required sequence of arts education, and only 23% of students in grades 7 to 12 are offered art as an elective. There are no sanctions or consequences for schools that fail to provide or offer the required courses.

At all grade levels, schools report that insufficient funding is the biggest barrier to providing more arts instruction. Accordingly, the purpose of Proposition 28 is to address this by earmarking funding specifically for arts instruction and requiring schools to spend those funds in addition to what they are already spending for this purpose.

Reports cite numerous studies showing that arts instruction is associated with improved outcomes in other school areas, such as:

- ✚ Better school attendance
- ✚ Increased graduation and college-going rates
- ✚ Improved performance in other academic subjects
- ✚ Decreased disciplinary incidents
- ✚ Greater tendency to stay on task

Sacramento County school districts, charter schools, and the County Office of Education (collectively known as local education agencies, or LEAs) receive nearly \$40 million in Proposition 28 funds each year. In Sacramento County 82% of the Proposition 28 funding goes to school districts, 18% to charter schools, and a minor portion to the



County Office of Education (COE).

The chart to the left shows the monies each type of LEA received for fiscal year 2023-24. Fiscal year 2024-25 was very similar. Proposition 28 funds are allocated to schools by the California Department of Education each year. The amount allocated to each school is determined by the Department of Education, which

uses a formula that is based on student enrollment at each school. The formula provides added weight to students who are English language learners, in foster care, or are eligible for free- or reduced-price meals. Funds must be spent at the school to which they are allocated and may not be transferred from one school to another.

In order to receive Proposition 28 funds, schools must comply with the following:

- ✚ Proposition 28 funds must be added to (i.e., supplement) existing school spending for arts education
- ✚ At least 80% of the funds must be spent on arts education teachers or classified employees and no more than 20% on materials, equipment, or supplies
- ✚ No more than 1% of the funds may be spent on administration
- ✚ Schools have up to three years to spend each year's allocation (unspent funds are returned to the state to be reallocated to schools across the state in the next year)
- ✚ Schools must file a governing board-approved spending report with the Department of Education each year and post that report on their own websites
- ✚ Schools must certify to the Department of Education that they have complied with all of these requirements
- ✚ Independent auditors must verify compliance as part of the annual external audit.

These requirements apply only if a school chooses to spend the Proposition 28 funds, but they are not required to do so. If a school chooses not to spend the funds, they revert to the state.

METHODOLOGY

The Grand Jury obtained information from multiple sources, including but not limited to the following:

- ✚ Interviews with 15 individuals, including school district and charter school program and budget personnel, employees of the Sacramento County Office of Education, California Department of Education (CDE), a PTA representative, and community advocates
- ✚ Proposition 28 (text available [here](#))
- ✚ School district and charter school websites
- ✚ The California Education Code (click [here](#) for the home page)
- ✚ Prop 28 Reports on school district and charter school websites
- ✚ Expenditure Worksheets for Audit Compliance Review Proposition 28 Arts and Music in Schools from the CDE
- ✚ A classified job description as an example of how classified employees can be employed with Proposition 28 funds
- ✚ Arts Education Alliance of the Bay Area "Prop 28 Resource Doc: Community Organizations" (click [here](#) for the home page)
- ✚ Friends of Sacramento Arts Webinar: "Advocating for Prop. 28 Arts & Music in Schools," September 24, 2024 (click [here](#) for the home page)
- ✚ California Commission on Teacher Credentialing (click [here](#) for the home page)
- ✚ Research reports from industry thinktank SRI International (click [here](#) for the home page)

- 📌 “EdSource,” an online education journal (click [here](#) for the home page)
- 📌 The Los Angeles Times, “LAUSD misused millions in taxpayer-approved money meant for arts education, suit alleges,” February 11, 2025

DISCUSSION

The Grand Jury’s investigation revealed that complexities and ambiguities in the initiative’s requirements, combined with competing local budget priorities, create opportunities and perhaps incentives for schools to fall short of the goal of increasing arts education spending. Some of the problems identified could result in the loss of Proposition 28 funding for affected schools. This would reduce or deny opportunities for increased arts education. The Grand Jury makes recommendations to address six identified problems.

It’s Difficult to Determine if Proposition 28 Funds are Actually Used to Increase Spending on Arts Education

The primary goal of Proposition 28 is to increase total spending on arts education in order to expand arts education opportunities for students. To achieve this, schools are required to (at a minimum) maintain spending from existing funds and then add spending from Proposition 28 to that amount. This requires schools to accurately account for spending on arts education from existing revenue sources.

Proposition 28 establishes the following requirements to ensure compliance with this requirement:

- 📌 It requires schools to certify to the Department of Education that they have determined the amount spent on arts education from existing funds and that spending from Proposition 28 funds has been added to that amount
- 📌 It requires auditors, as part of the normal annual external audit, to verify that schools have filed the required certification to the Department of Education

However, neither the Department of Education nor the external auditors verify the accuracy of this calculation itself. Therefore, if the school does not publicly disclose how the calculation was made, parents and other members of the public have no way of assessing its accuracy. If schools underestimate the amount of spending from existing funds on arts education, then total spending on arts education will be less than required by Proposition 28. (See the example below.)

EXAMPLE: If a school district spent \$1 million from existing funds on arts education but certifies that it spent only \$800,000, then total spending on arts education would be \$200,000 less than it should be, even after adding spending from Proposition 28 funds. This is specifically prohibited by the measure. Because this calculation is not subject to audit, it can only be verified if the school publicly discloses it.

There is a Dispute over How to Account for Spending from One-Time Revenues

In a related, but separate issue, there is disagreement between schools and the advocates of increasing arts education over how to treat spending from one-time revenues. Proposition 28 requires that its funds be used to supplement a school's existing spending on arts education. The measure defines "supplement" to mean:

*...that the funds appropriated by this chapter shall be used by local educational agencies to increase funding of arts education programs and not to supplant **existing** funding for those programs (emphasis added).*

(ED Code 8821 (e))

Schools must comply with this requirement as a condition of receiving the funds. Failure to do so could result in the loss of those funds, but there is disagreement over which spending must be maintained. The question is, does Proposition 28 require schools to supplement spending from **all** of its revenue sources or only from **on-going** revenue sources (i.e., may schools exclude spending from one-time revenues from the level of spending that must be supplemented with Proposition 28 funds).

According to guidance to schools provided by the California Department of Education (CDE), spending on arts education from one-time revenue sources may be excluded. One-time funds can come from a variety of sources, such as the temporary federal COVID relief funds, private grants, or PTA contributions.

The CDE guidance provides the following methodology:

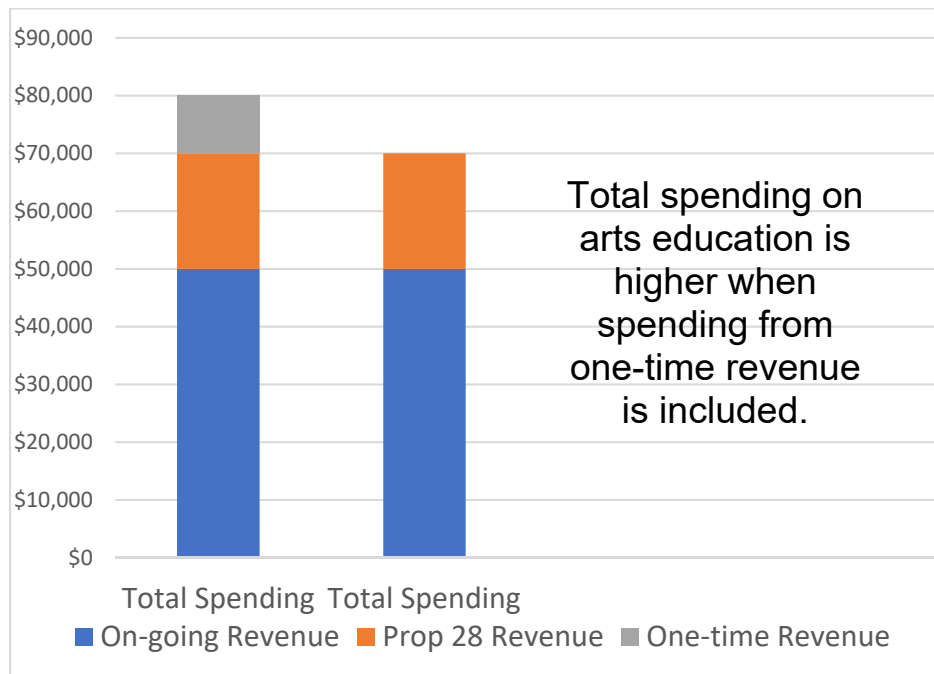
Step 1: Determine the total amount of spending on arts education from all non-Proposition 28 revenues in the prior year

Step 2: Subtract spending from one-time revenues from the amount determined in Step 1

Step 3: The balance is the amount of spending that the school must supplement with Proposition 28 funds in the current year

Although this methodology assumes that spending from one-time revenues may be excluded from the level of spending that must be maintained, the Department of Education also advises schools to seek advice from their own legal counsel regarding the proper methodology.

Arts education advocates dispute this interpretation. They argue that one-time funds were "existing" in the prior year and, if they were spent on arts education, then that spending must be continued in the current year and supplemented with Proposition 28 funds.



One school budget official interviewed by the Grand Jury said that PTA contributions are always considered one time, because the school cannot rely on them from year to year. Art education advocates respond by pointing out that this interpretation allows a school to replace PTA funds with Proposition 28 funds and then use the replaced PTA funds for other purposes. This is a violation of the measure, according to them.

The Grand Jury’s review found that schools in Sacramento County are adopting the Department of Education’s interpretation of the use of one-time funds and are excluding them from the calculation of the level of spending that must be supplemented with Proposition 28 funds. A pending lawsuit (Alex G., et al., v LAUSD) challenges this practice. This lawsuit, filed in Los Angeles Superior Court on February 10, 2025, alleges that “LAUSD has defrauded the State of California” by “falsely asserting that it has used Proposition 28 funds.” Specifically,

LAUSD has done exactly what the law prohibits: it has eliminated existing funding sources for existing art teachers, and replaced those funds with proposition 28 funds, thereby violating the requirement that the funds supplement rather than supplant existing sources.

The outcome of this lawsuit could have major implications for schools across the state, including in Sacramento County. If the plaintiffs prevail, schools could be required to make up for several years of under spending on arts education.

School-Site Plans Must be Aligned with District-Level Requirements

The 80/20 rule requires districts to spend a minimum of 80% of Proposition 28 funds on instructional personnel and no more than 20% on materials, supplies, and infrastructure. Proposition 28 allows up to 1% for administrative purposes.

However, Proposition 28 has two, seemingly conflicting requirements that complicate this rule:

- ✚ All spending plans must be developed at the school-site level, by the school-site administrator
- ✚ The 80/20 requirement is applied at the district level, not the school-site level

This means that some schools in a district can spend less than 80% of their Proposition 28 funding on personnel if this is balanced out by other schools in the same district spending more than 80% on personnel. Therefore, spending plans must be coordinated among schools within a district to avoid a district-wide violation of the 80/20 requirement. Failure to comply with the 80/20 requirement could result in the loss of Proposition 28 funding.

Schools have up to three years to spend each year's allocation of funds. The 80/20 requirement is applied either when each year's allocation is fully spent or at the end of the three-year period, whichever comes first. This means that spending among school sites must be coordinated over the entire three-year period across all schools in a district. In addition, each year's allocation creates a new three-year spending window. By the fourth year of implementation (2026-27) schools always will be in the first, second, and third year of different annual allocations. This requires coordination among schools both within and between fiscal years regarding their spending plans in order to avoid violating the 80/20 requirement. This can be achieved only with district-wide planning.

There is another reason for multi-year, district-wide planning. The Grand Jury interviewed several individuals who stated that a desired outcome of Proposition 28 is to provide schools with the resources needed to build arts education into the overall school curriculum. Interviewees stressed that it would not be sufficient to use the funding just for extra activities like field trips to performances or visiting artists that are not otherwise connected to a broader curriculum. This is consistent with the California Arts Education Framework published by the CDE in 2021, which states:

For students to develop into artistically literate, creative, and capable individuals, it is essential that arts instruction is sequential, standards-based, comprehensive, and prioritized. This means standards-based sequential instruction for all students, in all five arts disciplines, during the

regular school day, each year from TK [transitional kindergarten] through twelfth grade. A comprehensive program provides students access to each of the arts disciplines through articulated feeder programs that support students' transition between school levels.

The Grand Jury investigation found that, while at least one district is engaged in five-year planning, this is not always the case. Some districts report minimal coordination between school-site and district-level administrators.

Schools Must File a Spending Report with CDE and Post it on Their Websites

Proposition 28 requires each school to submit its governing board-approved Proposition 28 spending report to the Department of Education each year and to post that report on its own website. Schools must comply with this requirement as a condition of receiving Proposition 28 funds. Compliance is subject to the annual external audit. Failure to comply will lead to an audit exception, which is reported to the CDE. This, in turn, could lead to the loss of Proposition 28 funding.

The Grand Jury's review found that several schools in Sacramento County (primarily charter schools) have not posted reports on their websites. In addition, some schools and districts do not post their reports in an easily accessible location. For example, some schools post the report as part of an agenda item for a governing board meeting. This means that parents or other members of the public would need to dig into perhaps several meeting agendas and related background materials to find the report. Such schools follow the letter, but not the spirit, of the law. This falls short of providing the level of transparency required by Proposition 28.

There are Multiple Strategies to Deal with the Shortage of Arts Teachers

Schools report that the single biggest impediment to fully implementing Proposition 28 is the long-standing shortage of credentialed arts teachers. The California Commission on Teacher Credentialing reports that the state had only one credentialed arts teacher for every 785 students in 2020-21. According to a report from SRI International, Proposition 28 funding will support 5,457 new teachers statewide, including 237 new teachers in Sacramento County. Meanwhile, data from the California Department of Education shows that Sacramento County schools have hired 96 teachers and 41 classified employees with Proposition 28 funds as of 2023-24. This falls about 100 teachers short of the number of new hires that could be supported with Proposition 28 funds.



The Grand Jury has identified several programs and strategies that schools can use to address this problem. While some schools in Sacramento County are already implementing some of these strategies, they are not in widespread use yet.

First, the requirement that at least 80% of Proposition 28 funds must be spent on personnel does not necessarily mean that they must be spent on credentialed teachers. Schools may employ classified employees (non-certificated support staff) who have a special skill or talent in an arts area to provide instruction under the direct supervision of a certificated teacher. At least one school district in Sacramento County has developed a classified employee job description for this purpose.

Second, schools can utilize a new Career Technical Education (CTE) credential to enlarge the pool of potential teachers at the secondary level. A person who has at least 3,000 hours of experience in a qualified vocational or career area can receive the CTE credential. No bachelor's degree is required. This credential is available for professionals who have worked in areas such as commercial art, photography, game design, multi-media production, and theatrical production.

This option is available to any secondary school and can provide a significant increase to the potential hiring pool, because Proposition 28 broadly defines arts education to include (but not be limited to):

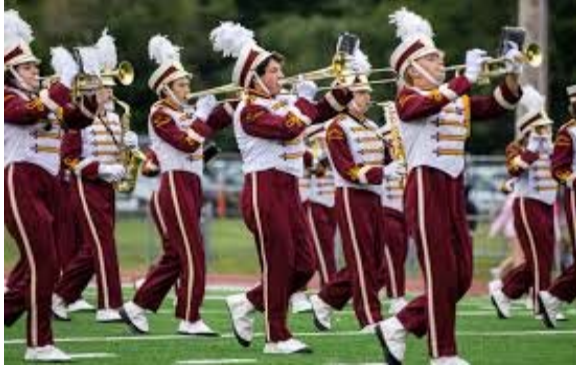
...instruction and training, supplies, materials, and arts educational partnership programs, for instruction in: dance, media arts, music, theatre, and visual arts, including folk art, painting, sculpture, photography, and craft arts, creative expressions, including graphic arts and design, computer coding, animation, music composition and ensembles, and script writing, costume design, film, and video.

Workers in many of these areas can qualify for the CTE credential.

Third, schools may participate in a district intern program that has been approved by the Commission on Teacher Credentialing. For example, California State University at Sacramento has an approved program. Anyone with a baccalaureate or higher degree and who has either completed a course or passed an exam covering the principles and provisions of the U. S. Constitution can receive a District Intern Credential. This option significantly expands the hiring pool.

Fourth, the Classified School Employee Teacher Credential Program provides financial assistance to classified school employees who are working toward a teaching credential. Participants may receive up to \$24,000 over a five-year period to pay for tuition and related expenses. This program is available only to classified employees who work in schools that participate in the program, but funds are limited.

Parents Must Be Included in Developing School-Site Spending Plans



Various provisions in state law establish a strong policy of requiring parental involvement in program and curricular decision-making. For example, each school is required to adopt and annually revise a Local Control and Accountability Plan, which is a statement of the school's goals for its students and a description of the specific strategies it will undertake to achieve those

goals (EC 52060 for school districts and EC 47606.5 for charter schools). In addition, EC 52060 (d) (3) (a) requires those plans to address "Parental involvement, including efforts the school district makes to seek parent input in making decisions for the school district and each individual school site..."

Also, EC 64001 requires schools that receive specified federal or state funding (this is virtually every school in the state) to develop a School Plan for Student Achievement. EC 65000 requires such schools to establish a school site council that includes parents.

Taken together, these provisions establish a state policy of including parents in district and individual school decision-making. Despite these requirements, the Grand Jury investigation found that parents are often excluded from decision-making in the development of Proposition 28 spending plans. Some parents are not even aware of Proposition 28.

FINDINGS

- F1. The lack of transparency and independent validation of a school's calculation of the amount of existing funds it spends on arts education creates an opportunity for schools to underestimate that amount, thereby reducing arts education spending from the level required by Proposition 28. (R1)
- F2. Failure to supplement spending from one-time funds with Proposition 28 funds subjects schools to potential litigation, which could result in the loss of funds. (R2)
- F3. Failure to post Proposition 28 annual reports on their websites puts schools at risk of losing this funding. (R3)

- F4. By placing the spending reports in hard-to-find places on their websites, schools make it difficult for parents and the public to get information about how Proposition 28 funds are being spent, thereby falling short of the level of transparency required by the measure. (R3)
- F5. By not taking full advantage of multiple opportunities to recruit and hire more arts teachers, schools fall short of meeting the goal of increasing arts education. (R4)
- F6. By not engaging in district-wide, multi-year planning, districts risk losing funds by being out of compliance with the 80/20 spending requirement and lose the opportunity to integrate expanded arts education into the regular curriculum. (R5)
- F7. By not involving parents in the development of Proposition 28 spending plans, districts violate state law and deny parents the opportunity to contribute. (R6)

RECOMMENDATIONS

- R1. The Grand Jury recommends that governing boards direct appropriate budget staff to disclose the calculation of prior year spending on arts education at the same annual public hearing at which Proposition 28 spending reports are adopted, beginning no later than December 15, 2025. (F1)
- R2. The Grand Jury recommends that governing boards either (1) direct appropriate budget staff to include spending from one-time revenues in the calculation of prior year arts education spending or (2) seek independent legal advice on how to account for such funds, by December 15, 2025. (F2)
- R3. The Grand Jury recommends that governing boards direct appropriate staff to post Proposition 28 annual spending reports on an easy-to-find page on the school or district website by December 15, 2025. (F3, F4)
- R4. The Grand Jury recommends that governing boards direct appropriate staff to explore all available programs to hire arts teachers and classified employees with Proposition 28 funds by December 15, 2025. (F5)
- R5. The Grand Jury recommends that governing boards adopt multi-year arts education plans to help ensure compliance with the law and to integrate new and expanded arts education programs into the overall curriculum by December 15, 2025. (F6)

R6. The Grand Jury recommends that governing boards direct school site administrators to include parents in developing school site Proposition 28 spending plans by December 15, 2025. (F7)

REQUIRED RESPONSES

The following responses are required within 90 days pursuant to Penal Code sections 933 and 933.05:

Board of Education
Arcohe Union Elementary
c/o Katie Otto, Board President
11755 Ivie Road
Herald, CA 95638-0093

Board of Education
Folsom-Cordova Unified School District
c/o Chris Clark, Board President
1965 Birkmont Drive
Rancho Cordova, CA 95742-6407

Board of Education
Robla Elementary School District
c/o Craig Deluz, Board President
5248 Rose St
Sacramento, CA 95838-1633

Board of Education
Sacramento County Office of Education
c/o O. Alfred Brown, Sr., President, Board of Education
P.O. Box 269003
Sacramento, CA 95826-9003

Board of Education
Twin Rivers Unified School District
c/o Basim Elkarra, Board President
3222 Winona Way
North Highlands, CA 95660

Mail or Deliver a Hard Copy Response To:

The Honorable Bunmi Awoniyi
Presiding Judge
Sacramento County Superior Court
720 9th Street
Sacramento, CA 95814

Board of Education
Elk Grove Unified School District
c/o Michael Vargas, Board President
9510 Elk Grove Florin Road
Elk Grove, CA 95624

Board of Education
Natomas Unified School District
c/o Micah Grant, Board President
1901 Arena Boulevard
Sacramento, CA 95834-1905

Board of Education
Sacramento City Unified School District
c/o Jasjit Singh, Board President
5735 47th Avenue
Sacramento, CA 95824

Board of Education
San Juan Unified School District
c/o Ben Avey, Board President
3738 Walnut Avenue
Carmichael, CA 95608

Email the Response To:

Ms. Erendira Tapia-Bouthillier
Sacramento County Grand Jury Coordinator
Email: TapiaE@saccourt.ca.gov

INVITED RESPONSES

Aspire Alexander Twilight College Preparatory Academy
Beth Hunkapiller, Chair, Board of Directors
2360 El Camino Avenue
Sacramento, CA 95821-5611

Aspire Alexander Twilight Secondary Academy
Principal Mercedes Macumber
2360 El Camino Avenue
Sacramento, CA 95821-5611

Aspire Capitol Heights Academy
Interim Principal - Matthew Williams-George
Board Chair - Beth Hunkapiller
1001 22nd Avenue Suite 100
Oakland, CA 94606

Bowling Green Elementary
Mr. Floyd, Principal
4211 Turnbridge Drive
Sacramento, CA 95823

California Innovative Career Academy
Bill McGuire
555 Capitol Mall
Sacramento, CA 95814

California Montessori Project - Capitol Campus
Interim Principal
2635 Chestnut Hill Drive
Sacramento, CA 95826

California Montessori Project - Elk Grove Campus
Rebecca "Becky" Marsolais as Interim Superintendent
5330A Gibbons Drive, Suite 700
Carmichael, CA 95608-2117

California Montessori Project-San Juan Campuses
Julia Sweeney, Board Chair
5325 Engle Rd, Ste 200
Carmichael, CA 95826

Capital College and Career Academy
Board of Directors; Ian McQuoid, Vice Chair,
501 Arden Way
Sacramento, CA 95815

Capitol Collegiate Academy
Jenna Elam, Chairperson Board of Directors
2118 Meadowview Rd.
Sacramento, CA 95832

Community Collaborative Charter
Superintendent Jason Sample
5715 Skvarla Avenue
McClellan, CA 95652-2424

Community Outreach Academy
Lillie Campbell - President
5112 Arnold Ave. Suite A.
McClellan, CA, CA 95652

Community Outreach Academy
Lillie Campbell - President
P.O. Box 269003
Sacramento, CA 95826-9003

Community Outreach Academy
Lillie Campbell - President
5112 Arnold Ave. Suite A.
McClellan, CA, CA 95652

Creative Connections Arts Academy
Brian Emerson, Principal
6444 Walerga Road
North Highlands, CA 95660

Delta Elementary Charter
Yolo County School
PO Box 127
Clarksburg, CA 95612

Elk Grove Charter
Marc LaVine, Principal
10065 Atkins Drive
Elk Grove, CA 95757

Folsom Cordova K-8 Community Charter
Mercedes Kirk, Principal
4420 Monhegan Way
Mather, CA 95655

Fortune School
Margaret Fortune, President/CEO
2890 Gateway Oaks Drive
Sacramento, CA 95833

Futures High
Lillie Campbell - President
5112 Arnold Ave. Suite A.
McClellan, CA, CA 95652-1075

Gateway International
Lillie Campbell - President
5112 Arnold Ave. Suite A.
McClellan, CA, CA 95652-1075

George Washington Carver School of Arts and
Science
Part of Sac Unified
10101 Systems Pkwy.
Sacramento, CA 95827-3007

Golden Valley Orchard
Principal, Becky Page
Board of Trustees - Katie Gerski-Keller - Board
Chair
6550 Filbert Avenue
Orangevale, CA 95662-4112

Golden Valley River
Board of Trustees; Katie Gerski-Keller, Chair
9601 Lake Natoma Dr.
Orangevale, CA 95662

Growth Public
Stacy Scarborough Board Chair
9320 Tech Center Drive
Sacramento, CA 95826

Heritage Peak Charter
Paul Keefer, Executive Director Pacific Charter
Schools
2241 Harvard St., Suite 310
Sacramento, CA 95815

Heritage Peak Charter
Paul Keefer, Executive Director Pacific Charter
Schools
2241 Harvard St., Suite 310
Sacramento, CA 95815

Higher Learning Academy
Lillie Campbell - President
5112 Arnold Ave. Suite A.
McClellan, CA, CA 95652-1075

Highlands Community Charter
Ernie Daniels, Corporate President
1333 Grand Avenue
Sacramento, CA 95838

Leroy Greene Academy (Executive Concil
address)
Robyn Castillo Ed.D, Superintendent
2950 River Dr
Sacramento, CA 95833

Leroy Greene Academy (NUSD address)
Robyn Castillo Ed.D, Superintendent
2950 West River Dr
Sacramento, CA 95833-3767

Marconi Learning Academy
Carol Stanford- President
2444 Marconi Avenue,
Sacramento, CA 95821

Natomas Charter
Principal
2920 Advantage Way
Sacramento, CA 95834

Natomas Pacific Pathways Prep
Principal Melissa Mori
3700 Del Paso Road
Sacramento, CA 95834-9606

Natomas Pacific Pathways Prep Elementary
Principal Marcie Dart.
3700 Del Paso Road
Sacramento, CA 95834-9606

Natomas Pacific Pathways Prep Middle
Principal Tanila Edwards
3700 Del Paso Road
Sacramento, CA 95834-9606 C

New Hope Charter
Executive Director, Herinder Pegany...Board
201 Jessie Avenue
Sacramento,95832

New Joseph Bonnheim (NJB) Community Charter
Principal Dianne Wiley
7300 Marin Avenue
Sacramento, CA 95820

New Pacific School - Rancho Cordova
Board of Directors; Judy Miller
10710 Bear Hollow Drive
Rancho Cordova, CA 95670

New Technology High
Principal Jessica Martin
1400 Dickson St.
Sacramento, CA 95822

Options for Youth-San Juan
Barbara Gondo, President
1508 Howe Avenue
Sacramento, CA 95825

Paseo Grande Charter School
Principal Lindsay Reese
5248 Rose Street
Sacramento, CA 95838-1633

Sacramento Charter High
Carolyn Veal-Hunter, Chairperson
2315 34th Street
Sacramento, CA 95817

San Juan Choices Charter
Director, Brent Givens
4425 Laurelwood Way
Sacramento, CA 95864

SAVA - Sacramento Academic and Vocational
Academy - EGUSD
Director, Summer Ash / Campus Principal - Lezli
Warburton

SAVA - Sacramento Academic and Vocational
Academy - SCUSD
Director, Summer Ash / Campus Principal -

3141 Dwight Road, Suite 400
Elk Grove, CA 95758-6473

5330 Power Inn Road, Suite A
Sacramento, CA 95820-6757

SAVA: Sacramento Academic and Vocational
Academy - think this is wrong..funding is for OAK
Ridge Elementary
Tiffany WheldenPrincipal
4501 Martin Luther King Boulevard
Sacramento, CA 95820-2731

Smythe Academy of Arts and Sciences
Casey Gong, Principal
700 Dos Rios Street
Sacramento, CA 95811

Sol Aureus College Preparatory
Norman Hernandez, CEO
6620 Gloria Dr.
Sacramento, CA 95831

St. HOPE Public School 7
Carolyn Veal-Hunter, Chairperson, Board of
Directors
2315 34th Street
Sacramento, CA 95817

The Language Academy of Sacramento
2850 49th St
Sacramento, CA 95817

The MET
Principal Eracleo Guevara
810 V Street
Sacramento, CA 95818-1330

Visions In Education
Mark Holman, Board Chairperson
5030 El Camino Ave
Carmichael, CA 95608

Westlake Charter
Hope Gawlick, President Board of Directors
2680 Mabry Dr.
Sacramento, CA 95835

Westside Preparatory Charter
Principal Kristina Jordan
6537 W Second St
Rio Linda, CA 95673

Yav Pem Suab Academy - Preparing for the
Future Charter
Board of Directors; Miles E. Myles, President
7555 S Land Park Dr
Sacramento, CA 95831

Reports issued by the Grand Jury do not identify individuals interviewed. Penal Code section 929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Grand Jury.

APPENDIX

Allocation of Proposition 28 Funds in Sacramento County

Source: California Department of Education

Sacramento County Local Education Agency (LEA)	Prop 28 Allocation 2023-2024	Prop 28 Allocation 2024-2025
American River Collegiate Academy	\$10,957	\$14,123
Arcohe Union Elementary	\$68,453	\$64,940
Aspire Alexander Twilight College Preparatory Academy	\$75,482	\$70,086
Aspire Alexander Twilight Secondary Academy	\$91,096	\$79,884
Aspire Capitol Heights Academy	\$30,549	\$36,720
Bowling Green Elementary	\$131,989	\$122,257
California Innovative Career Academy	\$389,670	\$557,197
California Montessori Project - Capitol Campus	\$44,936	\$44,353
California Montessori Project - Elk Grove Campus	\$69,347	\$69,880
California Montessori Project-San Juan Campuses	\$188,715	\$194,104
Capital College and Career Academy	\$0	\$7,502
Capitol Collegiate Academy	\$73,293	\$76,575
Center Joint Unified	\$664,062	\$669,819
Community Collaborative Charter	\$106,335	\$118,850
Community Outreach Academy	\$300,296	\$303,827
Creative Connections Arts Academy	\$117,531	\$115,874
Delta Elementary Charter	\$48,134	\$45,066
Elk Grove Charter	\$43,264	\$41,920
Elk Grove Unified	\$8,939,692	\$9,124,646
Elverta Joint Elementary	\$35,191	\$34,435
Folsom Cordova K-8 Community Charter	\$21,495	\$20,015
Folsom-Cordova Unified	\$2,855,211	\$2,861,296

Fortune	\$312,937	\$282,229
Futures High	\$83,816	\$81,796
Galt Joint Union Elementary	\$545,815	\$541,825
Galt Joint Union High	\$313,140	\$287,600
Gateway International	\$98,816	\$96,391
George Washington Carver School of Arts and Science	\$28,215	\$25,557
Golden Valley Orchard	\$37,340	\$40,258
Golden Valley River	\$42,855	\$39,893
Growth Public	\$43,347	\$42,746
Heritage Peak Charter	\$162,529	\$175,792
Higher Learning Academy	\$94,896	\$92,045
Highlands Community Charter	\$1,198,300	\$1,620,274
Leroy Greene Academy	\$109,593	\$112,829
Marconi Learning Academy	\$58,361	\$71,548
Natomas Charter	\$238,061	\$254,114
Natomas Pacific Pathways Prep	\$86,112	\$83,983
Natomas Pacific Pathways Prep Elementary	\$59,759	\$63,818
Natomas Pacific Pathways Prep Middle	\$72,061	\$69,071
Natomas Unified	\$1,730,301	\$1,783,499
New Hope Charter	\$36,912	\$27,373
New Joseph Bonnheim (NJB) Community Charter	\$42,217	\$42,783
New Pacific School - Rancho Cordova	\$0	\$14,259
New Technology High	\$26,272	\$24,692
Options for Youth-San Juan	\$137,133	\$130,439
Paseo Grande Charter School	\$8,063	\$15,140
River Delta Joint Unified	\$281,997	\$291,115
Robla Elementary School District	\$376,086	\$366,505
Sacramento Charter High	\$60,489	\$57,134
Sacramento City Unified	\$6,277,428	\$5,936,070
Sacramento Co. Office of Education	\$153,719	\$146,244

San Juan Choices Charter	\$33,155	\$38,076
San Juan Unified	\$5,923,697	\$5,737,869
SAVA - Sacramento Academic and Vocational Academy - EGUSD	\$57,584	\$59,250
SAVA - Sacramento Academic and Vocational Academy - SCUSD	\$127,284	\$120,098
SAVA: Sacramento Academic and Vocational Academy	\$30,585	\$31,618
Smythe Academy of Arts and Sciences	\$195,319	\$198,176
Sol Aureus College Preparatory	\$52,091	\$47,538
St. HOPE Public School 7	\$97,783	\$87,991
The Language Academy of Sacramento	\$103,754	\$99,331
The MET	\$33,864	\$32,006
Twin Rivers Unified	\$4,047,435	\$3,903,161
Visions In Education	\$1,012,233	\$1,045,812
Westlake Charter	\$170,660	\$180,609
Westside Preparatory Charter	\$66,374	\$73,744
Yav Pem Suab Academy - Preparing for the Future Charter	\$66,289	\$80,925
<i>Total Allocation to Sacramento County LEAs</i>	<i>\$39,040,375</i>	<i>\$39,226,595</i>

NO EQUAL JUSTICE FOR VICTIMS OF ELDER FINANCIAL ABUSE

June 4, 2025



SUMMARY

The Sacramento County Grand Jury has identified a largely overlooked crime impacting the county's elder adults: financial abuse.

California Welfare and Institutions Code (WIC) section 15610.27 defines an “elder adult” as someone aged 65 and older. Elder financial abuse, also known as “elder financial exploitation” occurs when an individual or entity “[t]akes, secretes, appropriates, obtains, or retains the real or personal property of an elder adult for wrongful use, with intent to defraud, or both” (WIC section 15610.30).

Financial abuse can have devastating consequences for the elderly. The financial losses from this type of abuse, even minor financial losses, can lead to greater reliance on others for support, including family, friends, or government assistance. Beyond the economic strain, financial abuse often causes significant emotional and physical harm to victims.

However, Sacramento County does not have a proactive approach to combatting this serious, growing problem. Neither the District Attorney’s Office (DA) nor law enforcement agencies within the county have dedicated staff specifically trained to investigate and prosecute elder financial abuse. The DA’s website explicitly states that its elder abuse unit does not prosecute financial abuse except “in rare occasions.”

Law enforcement agencies and the DA rightly devote significant attention to cases of physical abuse and neglect, but victims of financial abuse do not receive the same level of focus or support. The lack of attention or prioritization of elder financial crimes has

been attributed to a number of factors, foremost among them is the pervasive attitude that financial crime is less devastating to elderly victims compared to violent crimes.

In financial abuse cases investigated by law enforcement and prosecuted by the DA, priority is often given to the monetary loss involved rather than the overall impact to the victim. Unless large amounts of money (such as over \$100,000) or elaborate scams are involved, perpetrators are rarely held accountable. The Grand Jury has determined that elder adults who are victims of financial abuse by family members, trusted advisors, tradespeople, or unrelated caregivers, are being deprived of justice.

BACKGROUND

As of the 2020 Census, 246,322 residents of Sacramento County, nearly 16% of the entire County's population was 65 years and older, and 24,944 of them were 85 years and older. According to the California Department of Aging, by 2060, the number of people over 65 in Sacramento County will have increased 187% from 2010. It has further been estimated that as early as 2026, the over-65-year-old population in the county will exceed the newborn to 17-year-old population.

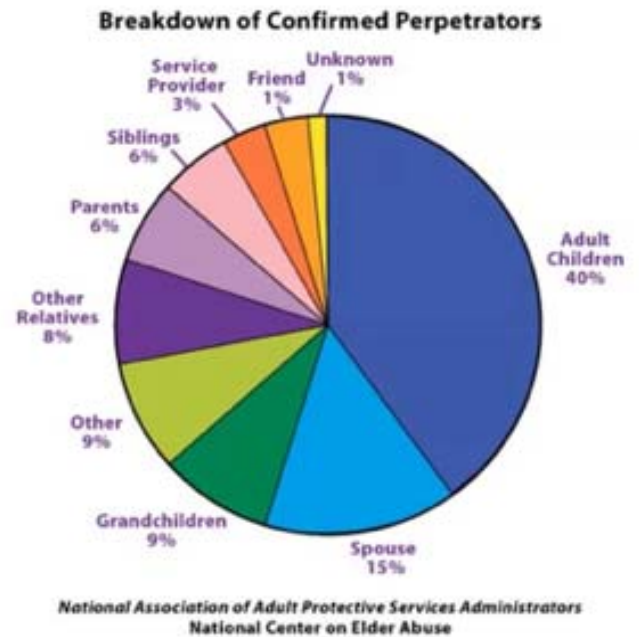


Elder Financial Abuse Is a Crime

With the growing population of adults aged 65 and older, there has been a corresponding increase in the crime of financial elder abuse, defined by California Penal Code (PC) section 368 (d) and (e) as “theft, embezzlement, forgery, fraud, or identity theft committed by someone who knows or reasonably should know that the victim is an elder adult.” Violations of this provision involving \$950 or more are felonies and those involving less than \$950 are misdemeanors.

Examples of elder financial abuse include, but are not limited to:

- Stealing an elder person's money or possessions that may have taken a lifetime to accumulate;
- Coercing or deceiving an elder person into signing a legal document, such as a will, trust, or trust deed, that did not reflect the victim's wishes or while the victim lacked the ability to recognize what was happening;
- Breaching a fiduciary duty as a conservator or under a power of attorney.



Potential perpetrators may include trusted caregivers, relatives, attorneys, financial advisors, fellow members of a religious organization, and contractors, as well as complete strangers. The majority of elder financial abuse cases (72%) are committed by known individuals, such as friends, family members or caregivers, making it harder for the victims to identify or report the abuse. In many cases, the perpetrators leverage their closeness to manipulate and exploit vulnerable elders, creating significant emotional and financial harm.

Elder Financial Abuse Is on the Rise

Elder financial abuse of all varieties is occurring at an alarming rate across the nation, and Sacramento County is no exception. Recent local reports indicate that cases of elder abuse, including financial abuse, have been on a steady rise. Local studies have further highlighted the connection between familial financial abuse and elder homelessness. In Sacramento County, research indicated that **10–15% of elder homelessness cases** could be linked to instances where family members exploited their elderly relatives financially. This exploitation not only strips seniors of their financial independence but also contributes significantly to their risk of losing stable housing.

The Role of Adult Protective Services and the Criminal Justice System in Combatting Elder Financial Abuse

The California State Legislature recognized many years ago that elder adults were at risk for financial abuse and created statewide standards for reporting and investigating

instances of elder financial abuse at the county level. Each county is required to establish an adult protective services agency (APS) to provide protective services to elderly adults who are subject to abuse, neglect, or exploitation. These services are required to include investigations, needs assessments, remedial and preventive social work activities; the necessary tangible resources such as food, transportation, emergency shelter, and in-home protective care; the use of multidisciplinary teams; and a system in which reporting of abuse can occur on a 24-hour basis.

Sacramento County APS provides intervention services directed toward safeguarding the well-being of elders and dependent adults suffering from, or at risk of, abuse or neglect. Among the services it provides are investigating reports and complaints of elder abuse, including elder financial abuse that occurs outside of a long-term care facility. Certain entities are designated by law as “mandated reporters” and are responsible for reporting suspected cases of elder financial abuse to APS. For instance, banks and stock brokers are required to report to APS if they observe suspicious financial transactions involving elderly clients. Similarly, doctors who suspect that an elderly patient is being financially exploited are mandatory reporters. Individuals other than mandated reporters can also notify APS when they are concerned an elderly person is being financially abused.

When APS receives a notice from a mandated reporter, or a tip or complaint from any other source, it opens a case and launches an investigation into the circumstances.

APS investigations are conducted by social workers. In addition to interviewing alleged victims of abuse, and, if possible, the alleged perpetrator and anyone else who may have information regarding the abusive conduct, social workers are able to access the victim’s bank records and other financial documents. After gathering the available evidence, social workers either find that the abuse has been confirmed, or that it is inconclusive or unfounded.

If APS has “reasonable suspicion” that criminal activity has occurred, it is required by law to refer the case to the law enforcement agency with jurisdiction (WIC section 15640 (a) (1)). Law enforcement agencies have discretion whether to conduct further investigation and whether to submit a case to the DA for potential prosecution. However, when law enforcement agencies receive a report of suspected elder financial abuse from APS, they are required “to report the results of their investigations” to APS (WIC section 15640 (f)).

If law enforcement submits a case to the DA, the latter has the discretion to decide whether or not to file charges.

METHODOLOGY

During the course of its investigation, the Grand Jury obtained information from multiple sources, including but not limited to the following:

- California Department of Aging
- California Department of Social Services
- Sacramento County Adult Protective Services
- Sacramento County District Attorney's Office
- The 2020 Census

Interviews with:

- State and countywide experts on financial elder abuse
- Sacramento County Child, Family, and Adult Services Department
- Sacramento County District Attorney's Office
- Sacramento County Sheriff's Department
- City of Sacramento Police Department
- City of Citrus Heights Police Department

Statutes:

- Cal. Welfare and Institutions Code Section 15600 et seq.
- Cal. Penal Code Section 368

Academic journal articles on the physical and psychological impact of elder financial abuse.

The Grand Jury also researched information available from governmental and publicly available websites, including and not limited to:

- Sacramento County District Attorney's website ([Click Here](#))
- Websites of District Attorneys from the following counties: San Diego, Orange, Riverside, Contra Costa, Santa Clara, San Bernardino, San Francisco, San Mateo, Mendocino, and Los Angeles
- Legal Issues Related to Elder Abuse A Pocket Guide for Law Enforcement, California Elder Justice Coalition, California Department of Social Services, Adult Protective Services, and more ([Click Here](#))

- National Elder Justice Law Enforcement Summit: Elder Financial Exploitation and the Criminal Justice System, February 7, 2023, Power Point Presentation ([Click Here](#))
- Department of Justice Elder Justice Initiative Website ([Click Here](#))
- Elder Abuse Guide for Law Enforcement ([Click Here](#))
- California Department of Aging Fact Sheet, Older Adult Demographics ([Click Here](#))
- Santa Clara County's Financial Abuse Specialist Team, Protection Through Collaboration, Nicolas P. Stathakos, Executive Summary ([Click Here](#))
- YouTube Video: Financial Abuse Specialist Team - Department 2002 - NJC 198153 - Office for Victims of Crime and the Santa Clara Public Health Department. ([Click Here](#))
- National Adult Protective Services Association (NAPSA) Resources Regarding Financial Exploitation ([Click Here](#))
- Testimony of San Diego Deputy District Attorney Paul Greenwood before the U.S. Senate Special Committee on Aging (2007) ([Click Here](#)) and (2012) ([Click Here](#))
- Prosecutors' Perspectives on Elder Justice Using an Elder Abuse Forensic Team, American Journal of Criminal Justice, January 9, 2016 ([Click Here](#))
- California POST Training Video on Elder and Dependent Adult Abuse ([Click Here](#))
- Reports of elder financial abuse surge in Sacramento County, Sacramento Bee, June 26, 2016 ([Click Here](#))

DISCUSSION

Prosecuting Perpetrators of Elder Financial Abuse Is Essential Because It Is Extremely Harmful to the Wellbeing of Elderly Victims

Elder financial abuse affects all types of older adults regardless of their financial status, gender, marital status, or cultural background. Losing money from a lifetime of labor through financial abuse can be devastating. It can result in a decline in their standard of living and can compromise independence and security.

Most seniors are on fixed incomes, making recovery from financial loss very difficult, if not impossible. Financial abuse can have a cascading effect on an older adult's living standards and quality of life. The loss of financial resources might force them to cut back on essential expenses such as healthcare, adequate housing, medication and nutritious food, all of which can lead them into a life of poverty. In the most severe cases the elderly victim can experience debt, tax burdens, and even homelessness. A significant financial loss can result in the elderly victim being financially dependent on family or governmental safety net programs. A reduction in living standards can lead to a decline in physical health, which in turn negatively affects mental health.

Elder financial abuse affects psychological, emotional and physical well-being. Victims experience:

- Feelings of betrayal, fear, guilt, shock and shame
- Depression, PTSD, anxiety, nightmares and disturbed sleep
- Difficulty in performing activities of daily living
- Increased rates of hospitalization, emergency department use, and skilled nursing facility admissions
- Increased mortality and low survival rate over a five-year period



An 80-year-old woman was living alone, isolated from family and friends. She developed a psychological bond with a tradesperson who moved her into his home. The tradesperson was caught by the woman's bank trying to cash checks on her account. Law enforcement moved the woman out of the abuser's home and took her to a hospital emergency room. She expressed feeling unsafe and fearful of retaliation by the abuser. She suffered multiple hospitalizations and had to be relocated to a long-term care facility in a different county.

An 83-year-old man owned several acres of land and a mobile home. He began developing dementia and needed a caretaker. The caretaker stole the man's social security checks and emptied his bank account with ATM withdrawals. The man lost his property and all his resources, and had to move into a long-term care facility, but continued to ask about his property and wanted to return to his home.

Older people are often stereotyped with negative traits, such as forgetfulness, sickness, or ineptitude. These misperceptions tend to devalue the individual, making it easier to minimize their concerns. Elderly victims are less likely to be believed, and are less likely to be considered reliable witnesses in financial abuse cases. They deserve better.

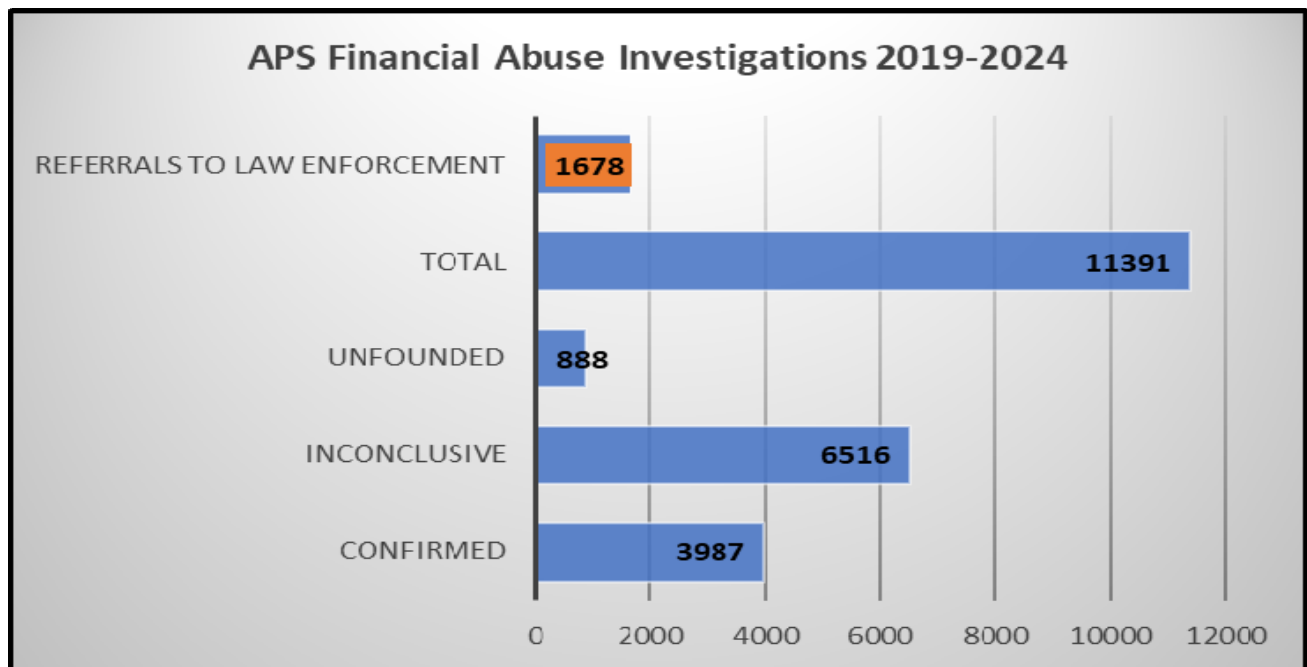
With the Expected Increase in Elder Financial Abuse, APS Will Need More Social Workers to Investigate Cases

Sacramento County APS currently has 12 social workers who investigate elder financial abuse along with other types of elder abuse. Only seven of them have Masters Degrees (MSWs). Previously all of the social workers investigating elder financial abuse were MSWs, but due to a shortage of MSW applicants beginning in 2020, they filled positions with Bachelor's Degree level social workers (BSWs). BSWs do not have the same level of academic training and clinical experience as MSWs. The Grand Jury was told that financial abuse investigations are frequently more complex than cases involving other types of abuse, and therefore take longer to complete. However, the social workers who conduct these investigations currently have the same caseload as the social workers who investigate less complex cases. As the number of financial abuse cases increases over the next few years as projected, APS will need more qualified social workers to handle the additional workload.

APS Does Not Have a Consistent Method for Documenting Elder Financial Abuse Cases Reported to Law Enforcement

According to data provided to the Grand Jury by APS, from 2019 through 2024, the agency opened investigations in 11,391 cases of alleged elder financial abuse, making up approximately 40% of their total number of elder abuse investigations during that time period.

The Grand Jury asked APS to provide the number of confirmed, unfounded and inconclusive claims of elder financial abuse for the years 2019 through 2024, as well as the number of cases reported to law enforcement for the same six-year period. Of the 11,391 report cases, APS confirmed a total of 3,987 cases of elder financial abuse and referred 1,678 to law enforcement agencies within Sacramento County.



When asked why 2,309 of the confirmed cases were not reported to law enforcement,

APS claimed that it reports all confirmed cases to law enforcement, but explained that how this information is recorded depends upon the practice of the individual social worker who conducted the intake and investigation. The agency's data management system thus is not designed to collect or report consistent information regarding referrals to law enforcement. The Grand Jury was therefore unable to verify the number of confirmed cases actually referred to law enforcement or determine whether APS is indeed complying with its reporting mandate.

The Grand Jury also learned that law enforcement agencies within the County are not reporting to APS the outcome of confirmed cases referred to them by APS, as required by WIC section 15640 (f). Consequently, unless law enforcement or the DA consults with APS after APS has referred a case to law enforcement, APS does not know whether law enforcement is submitting cases to the DA for potential prosecution.

The Number of Cases of Elder Financial Abuse Confirmed by APS Far Exceeds the Number of Prosecutions for These Offenses

The Grand Jury also asked the Sacramento Police Department, the Sacramento County Sheriff's Office, and the Citrus Heights Police Department to provide data for the same time period regarding the number of cases they received from APS, and of those cases, how many they further investigated and how many they forwarded to the DA for potential prosecution. After these requests, only the Citrus Heights Police Department

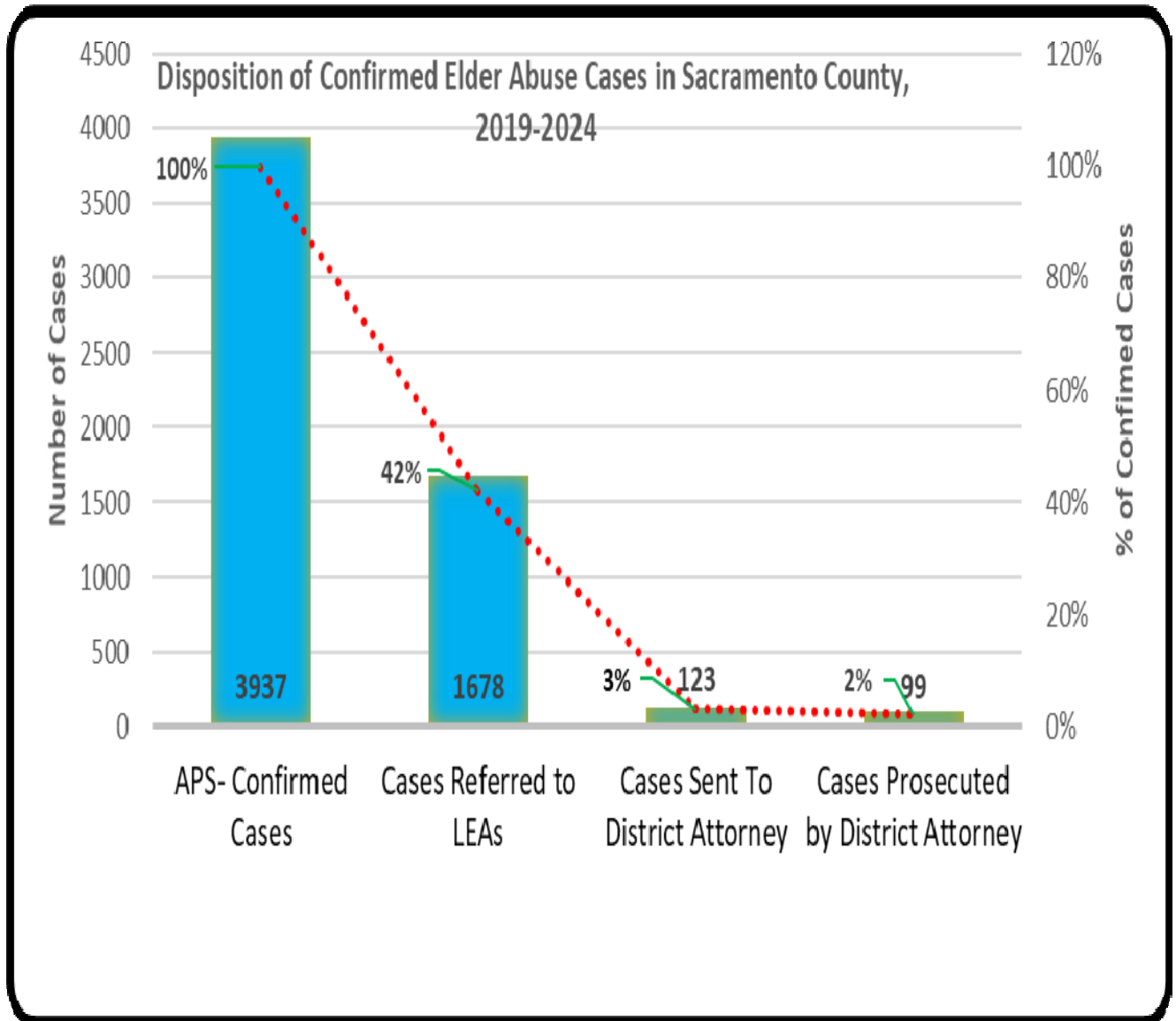
provided this information. The department informed the Grand Jury that from 2019 through 2024, it received 251 reports of elder financial abuse from APS; that it investigated a total of 288 allegations of fraud, scams and swindling of victims over 65, and 86 “elder abuse financial crimes cases.” The department referred a total 68 cases of financial crimes against elderly victims to the DA. The Grand Jury does not know how many of the 68 cases referred to the DA involved a crime committed by someone known to the victim.

Finally, the Grand Jury asked the DA’s office to provide the number of cases it received from Sacramento law enforcement agencies for potential prosecution during the same six-year period, as well as the number of cases the DA filed charging a violation of PC section 368 (d) or (e). The data the office provided showed that it received only 123 cases from local law enforcement. This amounts to roughly 7% of the 1,678 cases APS was able to state that it reported to law enforcement, and only 3% of the 3,987 cases APS confirmed. The DA’s office reported that it filed charges in 99 of the 123 cases it received.

District Attorney’s Office: Penal Code 368 (d) and 368 (e) Charges

	2019	2020	2021	2022	2023	2024	TOTAL
Received	25	18	17	16	21	26	123
Filed	29	14	14	13	12	17	99

As the graph below shows, over 97% of the cases of elder financial abuse confirmed by APS investigation appear to have fallen through the cracks.



Prosecuting Perpetrators of Elder Financial Abuse Is Not a Priority For the DA and Law Enforcement Agencies

Although the DA's office has an Elder Abuse Unit staffed by two attorneys, its website explicitly states that it does not prosecute elder financial abuse, "except in some rare occasions," which includes cases where physical abuse is also charged. The DA's Financial Crimes and Real Estate Fraud Units have prosecuted cases involving elderly victims where large sums of money (over \$100,000) or multiple victims are involved.

The chart above confirms that only a tiny percentage of the cases of elder financial abuse confirmed by APS result in prosecution. The numbers further indicate that local

law enforcement agencies are not treating these crimes as a priority and are therefore devoting fewer resources towards investigating them. Indeed, interviews conducted by the Grand Jury disclosed that in contrast to other types of elder abuse, local law enforcement agencies are often slow to assign detectives to investigate financial abuse referrals from APS.

It stands to reason if the DA is rarely prosecuting elder financial abuse, law enforcement agencies are going to assign a low priority to investigating such crimes. As explained to the Grand Jury, it is up to the DA to take the lead in creating a culture in which all financial crimes against elderly victims are aggressively investigated and prosecuted.

Neither the DA Nor Sacramento Law Enforcement Agencies Have Prosecutors and Detectives Dedicated to Investigating and Prosecuting Elder Financial Abuse Cases

None of the local law enforcement agencies has a dedicated elder abuse detective who is trained to investigate elder financial abuse. Nor does there appear to be continuing education and training for uniformed officers on recognizing the signs of elder financial abuse. The Grand Jury was told that the Elder Abuse Guide for Law Enforcement (EAGLE), produced by the National Center on Elder Abuse together with the Department of Justice Elder Justice Initiative, the National White-Collar Crime Center and the Keck School of Medicine at USC, is an excellent training resource used in other counties. The California Commission on Peace Officer Standards and Training (POST) also has an excellent training video for police officers on elder and dependent adult abuse, which provides examples of financial abuse indicators.

In addition, neither of the attorneys who staff the Elder Abuse Unit of the DA's Office has received specialized training in prosecuting financial abuse cases and the unit does not currently have a dedicated investigator or victim advocate specially trained to work with elderly victims. The Grand Jury was informed that the current caseload of the unit would make it impossible for the attorneys in the unit to take on financial cases in addition to their other cases, and that the unit would need more funding for an additional attorney to prosecute these cases either from the Board of Supervisors or through grants, such as a California Elder Abuse (XE) Grant.

The Grand Jury was also informed that the unit formerly had a dedicated victim advocate, but lost the grant funding that position. The unit now relies on domestic violence victim advocates, and the Grand Jury is not aware of any current effort on the part of the DA's office to replace the dedicated elder abuse victim advocate.

Sacramento County Is an Outlier in Not Actively Seeking Justice for All Victims of Elder Financial Abuse

In contrast to Sacramento County, virtually all of the most populous counties in California have elder abuse attorneys in their DA's offices who prosecute elder financial abuse cases. Through interviews and research, the Grand Jury learned that the San Diego DA's Elder Abuse Unit and the law enforcement agencies within San Diego County have for many years served as the model for effective investigation and prosecution of these cases. The counties that have followed the San Diego model have two important things that Sacramento County does not have:

- Dedicated elder abuse detectives in their law enforcement agencies and dedicated elder abuse prosecutors who have specialized training in investigating and prosecuting elder financial abuse cases; and
- A Financial Abuse Specialist Team.

A Financial Abuse Specialist Team [FAST], is a multidisciplinary team consisting of public and private professionals who work collaboratively to facilitate comprehensive services to victims of financial elder abuse. The team consists of representatives from the DA's office, law enforcement, APS, the Public Conservator, senior services, health care, legal services, financial services, and real estate. A FAST provides expert forensic assistance in the investigation of cases of suspected elder financial abuse. To learn how a FAST works and the benefits it provides, the Grand Jury recommends watching a YouTube video presentation by the Santa Clara County FAST. A link to the video can be found in the Methodology section of this report.

A few counties also have an Elder Abuse Forensic Center, staffed by professionals from legal, medical, social services and law enforcement agencies who conduct case reviews, check medical and mental status, do evidentiary investigations, tape victim interviews, educate, consult and do research. A research paper published in the American Journal of Criminal Justice in 2016 concluded that such centers have enhanced elder justice by increasing rates of prosecution, particularly for financial abuse.

Although the Sacramento DA's website claims that the office "is taking the lead" on having a "Sac FAST team" that "brings together many different agencies and private citizens to help elderly victims of financial abuse where the cases are complex," no such team is currently active.

In addition to providing assistance in individual cases of elder financial abuse, FASTs raise public awareness and provide community education through presentations and discussions. Educating older adults and the public on financial abuse and exploitation is critical to prevention. It empowers individuals to recognize abuse and exploitation, helps

them gain control over their lives, and provides them with resources to protect themselves from financial predators. All agencies interviewed indicated that they are not actively performing community outreach and education to elderly residents.

When asked why elder financial abuse isn't given higher priority, the law enforcement and DA's office representatives interviewed by the Grand Jury all claimed a lack of resources, both personnel and funding. They also stressed that cases involving physical abuse take precedence over financial abuse.

In addition, the Grand Jury was told that financial abuse cases are difficult to prove beyond a reasonable doubt—the degree of proof required for a conviction—because the elderly often have memory impairments that make them poor witnesses. The prosecutor who led the San Diego DA's Elder Abuse Unit for 22 years, disputed that stereotype in testifying before the United States Senate Special Committee on Aging in 2012, as follows:

*[W]e're seeing across the country more and more prosecutors
Understanding that not only are these crimes provable, but the
Juries get it, and there are many misconceptions out there about
working with elderly victims. The biggest one I always hear is, well,
they have failing memories. But that's not the case so often. So often
now, victims are articulate, they are good historians.*

*But in those cases where we have victims on the stand who
demonstrate a lack of memory, that actually enhances the case
for the jury because the jury gets to see exactly why the defendant
targeted this elder for their diminished capacity or
their forgetfulness.*

Furthermore, witnesses interviewed by the Grand Jury explained that in cases where an elderly victim has been financially exploited by a family member, friend, caregiver or other known person, it is often possible for prosecutors to meet their burden of proof based solely upon a forensic examination of both the victim's and suspect's financial records. Thus, if a relative or caregiver has access to the victim's bank account and is regularly drawing money from it, an investigation into that individual's expenditure of that money shows whether the money is being spent for the victim's benefit or whether the individual is using it for him or herself. For example, the Grand Jury was told that in

investigating financial abuse allegations, APS social workers frequently see repeated ATM withdrawals by family members and caregivers from elderly clients' bank accounts at local casinos.

The Grand Jury also heard claims that financial abuse cases are difficult to prosecute because elderly victims are reluctant to admit they have been financially exploited due to embarrassment or fear that such exposure might lead to loss of their independence. However, if APS was able to confirm nearly 4,000 cases of financial abuse within a six-year period, this does not satisfactorily explain why charges were only filed in 99 cases within the same period. Furthermore, as explained to the Grand Jury, a prosecutor must base the decision as to whether to file charges on the evidence, not on the wishes of the victim.

Finally, the Grand Jury was told that where the amount of loss is under \$950, and would therefore constitute a misdemeanor, victims are referred to the Elder Law Clinic operated by McGeorge School of Law to pursue a civil remedy. However, just because a crime victim might also have a civil remedy does not mean that the conduct is not criminal and the perpetrator does not deserve punishment. For many elders on a fixed income a theft of \$950 or less can be immensely harmful.

Further testimony to the U.S. Senate in 2007, highlights how these smaller losses deserve prosecution:

[P]rosecutors should be less concerned about the actual monetary loss and focus more on the underlying conduct by the perpetrator.

It is frustrating when a case is rejected by a prosecutor's office because the loss involved does not meet the threshold for prosecution.

In my experience, theft of \$500 can be as devastating to an elderly widow as a theft of \$100,000.

Moreover, the Grand Jury is concerned that unless cases involving smaller amounts of money are prosecuted, offenders will continue to engage in repeated criminal activity that will harm more victims and eventually add up to large sums.

Law enforcement, the DA, and APS all play a role in determining the outcome of financial abuse and control the victim's ability to obtain justice. During interviews with staff from these agencies, all displayed empathy and concern for elderly victims of financial abuse. However, age-related bias works toward lowering the priority given to prosecuting these crimes, and as a result, justice is never served for the victims. The crime of elder financial abuse is not benign simply because it's about the money or the

amount of loss. It changes victims' lives; it destroys relationships with family and undermines self-confidence and the ability to live independently.

FINDINGS

F1. The Grand Jury finds APS internal reporting systems do not require consistent data entry, therefore APS cannot reliably quantify the number of cases referred to law enforcement, nor can it track the law enforcement agencies to which the referrals are sent or follow-up on the resolution of cases. (R1)

F2. The Grand Jury finds APS lacks enough funding for additional experienced, qualified social workers to investigate the growing number of elder financial abuse cases, which may result in future cases not being adequately investigated and documented. (R2)

F3. The Grand Jury finds some local law enforcement agencies do not consistently collect data to track elder financial abuse cases received from APS, making it impossible to determine if these cases are fully investigated or referred to the DA for prosecution. (R3)

F4. The Grand Jury finds the DA's Elder Abuse Unit does not prosecute financial abuse cases unless accompanied by physical abuse, allowing many abusers to avoid consequences. (R4)

F5. The Grand Jury finds the DA's Financial Crimes & Real Estate Fraud Units prosecute only when the dollar amount is high or multiple victims are impacted, allowing many abusers to avoid consequences. (R5)

F6. The Grand Jury finds law enforcement agencies in Sacramento County are not placing as much priority on elder financial abuse as other types of elder abuse, allowing abusers to avoid consequences. (R6)

F7. The Grand Jury finds the DA's elder abuse unit does not have a prosecutor and investigator who are trained and specialize in prosecuting elder financial abuse, so many financial abuse cases are not being prosecuted allowing abusers to avoid consequences. (R7)

F8. The Grand Jury finds several of the law enforcement agencies in Sacramento County lack dedicated detectives with specialized training in the investigation of elder financial abuse and as a result many abusers are not being held accountable. (R8)

F9. The Grand Jury finds local uniformed law enforcement officers do not receive continuing education and training in how to recognize the signs of elder financial abuse, thereby allowing abusers to continue their victimization without consequences. (R9)

F10. The Grand Jury finds The DA's office no longer has a dedicated victim advocate who specializes in working with elderly victims of either physical or financial abuse, thereby leaving victims without proper support. (R10)

F11. The Grand Jury finds the DA lacks enough funding to create and fill elder financial abuse prosecutor, investigator and victim advocate positions, to be able to prosecute more cases of elder financial abuse. (R11)

F12. The Grand Jury finds Sacramento County has no active Financial Abuse Specialist Team (FAST), therefore there is inadequate coordination between agencies to combat the growing problem of elder financial abuse and protect elderly victims. (R12)

F13. The Grand Jury finds that there is insufficient community outreach by agencies within Sacramento County to educate elder citizens and their families and caregivers about financial abuse, so the signs of abuse may not be recognized. (R13)

RECOMMENDATIONS

R1. The Grand Jury recommends that APS adopt and implement a reliable procedure to collect data regarding cases of elder abuse it refers to law enforcement agencies, by December 31, 2025. (F1)

R2. The Grand Jury recommends that APS seek funding from the Board of Supervisors or other sources to hire additional MSW level social workers to investigate elder financial abuse cases, with funding to begin no later than the 2026/2027 fiscal year. (F2)

R3. The Grand Jury recommends that all local law enforcement agencies maintain a record of elder financial abuse cases referred by APS, including whether the law enforcement agency conducted additional investigation and whether it sent the case to the DA for potential prosecution, to begin by December 31, 2025. (F3)

R4. The Grand Jury recommends that the DA prosecute the crime of elder financial abuse regardless of whether it is combined with physical abuse, to begin September 30, 2025. (F4)

R5. The Grand Jury recommends that the DA begin to consider the full impact of financial abuse on the elderly victims, regardless of the dollar amount lost, in deciding whether to charge a financial abuse crime, no later than September 30, 2025. (F5)

R6. The Grand Jury recommends that all law enforcement agencies in Sacramento County raise the priority of elder financial abuse investigations to that of physical abuse, to begin September 30, 2025. (F6)

R7. The Grand Jury recommends that the DA add both an attorney and investigator specializing in elder abuse to prosecute financial abuse, by September 30, 2025. (F7)

R8. The Grand Jury recommends that each law enforcement agency in Sacramento County have at least one trained detective dedicated to investigating elder financial abuse crimes, by December 31, 2025. (F8)

R9. The Grand Jury recommends that the uniformed officers of each local law enforcement agency receive regular ongoing education and training to recognize signs of elder financial abuse, to begin by December 31, 2025. (F9)

R10. The Grand Jury recommends that the DA add a dedicated victim advocate to the elder abuse unit who has specialized training and experience in working with elderly victims, by September 30, 2025. (F10)

R11. The Grand Jury recommends that the DA seek the funding needed to create and fill the elder financial abuse prosecutor, investigator and victim advocate positions from the Board of Supervisors or other funding sources such as grants, with funding to begin no later than the 2026/2027 fiscal year. (F11)

R12. The Grand Jury recommends that the DA reactivate the FAST team, by September 30, 2025. (F12)

R13. The Grand Jury recommends that law enforcement agencies, APS, the DA's office, and the FAST team develop and implement a coordinated plan for more widespread community outreach by all parties, by December 30, 2025. (F13)

REQUIRED RESPONSES

Pursuant to Penal Code sections 933(a) and (c) and 933.05, the grand jury requests responses as follows. From the following “agency head” as specified in Penal Code section 933(c) within 60 days, for all Findings and Recommendations:

- Thien Ho, Sacramento County District Attorney
901 G Street
Sacramento, California 95814
(F4, F5, F7, F10, F11, F12, F13, R4, R5, R7, R10, R11, R12, R13)
- Jim Cooper, Sacramento County Sheriff
4500 Orange Grove Avenue

Sacramento, California 95841
(F3, F6, F8, F9, F12, F13, R3, R6, R8, R9, R13)
- Shelby Boston, Director
Sacramento County Department of Child Family and Adult Services
9750 Business Park Drive

Sacramento, California 95827
(F1, F2, F13, R1, R2, R13)

Pursuant to Penal Code sections 933 and 933.05, the grand jury requests a response from the following “governing body” as specified in Penal Code section 933(c) within 90 days, for all Findings and Recommendations:

- Sacramento County Board of Supervisors
700 H Street, Suite 2450
Sacramento, California 95814
(F1, F2, F11, R1, R2, R11)
- Sacramento City Council
915 I Street, 5th Floor
Sacramento, California 95814
(F3, F6, F8, F9, F13, R3, R6, R9, R13)

- Elk Grove City Council
8401 Laguna Palms Way,
Elk Grove, CA 95758
(F3, F6, F8, F9, F13, R3, R6, R9, R13)
- Folsom City Council
50 Natoma Street
Folsom, CA 95630
(F3, F6, F8, F9, F13, R3, R6, R9, R13)
- Citrus Heights City Council
6360 Fountain Square Drive,
Citrus Heights, CA 95621
(F3, F6, F8, F9, F13, R3, R6, R9, R13)

INVITED RESPONSES

- Kathy Lester, Chief of Police
Sacramento Police Department
5770 Freeport Blvd, Suite 200
Sacramento California 95822
(F3, F6, F8, F9, F13, R3, R6, R8, R9, R13)
- Alexander Turcotte, Chief of Police
Citrus Heights Police Department
6360 Fountain Square Drive
Citrus Heights, California 95621
(F3, F6, F8, F9, F13, R3, R6, R8, R9, R13)
- Rick Hillman, Chief of Police
Folsom Police Department
46 Natomas Street
Folsom, California 95630
(F3, F6, F8, F9, F13, R3, R6, R8, R9, R13)

- Bobby Davis, Chief of Police
Elk Grove Police Department
8400 Laguna Palms Way
Elk Grove, California 95758
(F3, F6, F8, F9, F13, R3, R6, R8, R9, R13)
- Melissa Brown, Clinical Professor of Law
Elder & Health Law Clinic
University of the Pacific, McGeorge School of Law
3200 Fifth Avenue
Sacramento, California 95817
(F4-F13, R4-R13)

Reports issued by the Grand Jury do not identify individuals interviewed. Penal Code section 929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Grand Jury.

ON THE BRINK OF BANKRUPTCY: ISLETON'S FAILURE TO GOVERN

June 10, 2025



SUMMARY

In this tenth investigation within the past 35 years, the Sacramento County Grand Jury takes yet another look into the City of Isleton's (City) governance, after receipt of multiple complaints from various sources alleging a wide range of problems, including but not limited to:

- Financial mismanagement by the Isleton City Council (Council) or city management staff;
- Failure by the Council to provide oversight of city operations and to properly account for the spending of public funds;
- Failure by one or more members of the Council to follow state law and the City's Municipal Code; and
- Council members ignoring their Code of Conduct.

All of these issues contributed to a growing financial crisis. While the responsibility for this did not begin with the most recent Council, the Grand Jury found all Council members require a better understanding of city governance oversight and the City's now dire financial condition.

The previous Council did not ensure a timely adoption of budgets or performance of annual audits of the City's financial records and operations. This hampered the Council's confirmation of City assets, debts, expenses and revenues, a benchmark which a city council relies upon in making financial decisions.

Further, the previous Council did not effectively oversee its city manager or city operations. The most egregious example of ineffective oversight occurred in November 2023, when the Council was asked to approve a \$500,000 “bridge loan” from private lender Red Tower Capital, using three city-owned properties as collateral.

Notwithstanding this loan, the City was unable to pay its bills shortly thereafter.

Additionally, the City lost major revenue because of the Council's failure to oversee and ensure compliance with regulations for local permitted cannabis businesses, another example of ineffective oversight.

The Council declared a fiscal emergency in November of 2024, hired bankruptcy attorneys and approved the filing of a Chapter 9 petition. The City then faced dramatic staff turnover at this critical time, which resulted in the hiring of an outside contractor to provide city management services and a municipal advisory firm to restructure the city's debt. As of the date of this report, the City is still working on fiscal stabilization, and a petition for bankruptcy has not been filed.

Lastly, the grand jury also found that Council members failed to obey their own Code of Conduct by violating state law and city ordinances, and failed to adhere to the Council-Manager form of government. This conduct created, at the very least, the appearance of impropriety. This is not in keeping with the high standards required of an elected official.

All residents of Sacramento County deserve effective municipal government. It is the residents of Isleton who suffer by facing increased taxes or a lower level of service, or both, when they don't have a competent city council.



BACKGROUND

The City of Isleton is the smallest city in Sacramento County. Home to 800 residents, it is situated in an isolated southwestern region of the county in the area known locally as “the Delta”.

The five members of Isleton’s City Council are elected volunteers, and the Council elects the City Mayor. The Council is responsible to oversee the operation and management of the City through a paid, part time City Manager, and also sets city policy through the adoption of ordinances and the approval of budgets, major expenditures, contracts, and fund transfers. The City Manager reports directly to the Council and implements its policies. This is commonly known as the Council-Manager form of governing.

ISLETON CITY COUNCIL MEMBERS

2024	2025
Pamela Bulahan, Mayor	Pamela Bulahan
Iva Walton	Iva Walton, Mayor
David Kent	David Kent
Kelly Hutson	
Paul Steele	
	Aleida Suarez
	Dean Dockery (Resigned)
	Cara Pelligrini (Replaced Dockery)

In the past two years, the city has had five City Managers: Charles Bergson (2017-24), Scott Baroni (2024), Uyiosa Felix Oviawe (2024), Sectaris Partners (2025), and Jon Kennedy (2025, formerly with Sectaris Partners).

2023: Governance and The Impact of Natural Disasters

In early January 2023, California experienced a series of intense rain and wind storms, including atmospheric rivers. Sacramento County was one of the hardest hit counties in the state. In Isleton, the heavy rainfall threatened the structure of the City’s sewer ponds. The City contracted with trucking firms to remove wastewater from the ponds to prevent pond walls from collapsing, and incurred extraordinary expenses in doing so.



In early winter 2023, Isleton applied to the California Office of Emergency Services (Cal OES) and to the Federal Emergency Management Agency (FEMA) for financial assistance with the storm-related expenses. Cal OES approved Isleton's request and, in May, 2023, provided an advance to Isleton in the amount of \$506,000. The City also applied to FEMA for more than \$1 million with the understanding that any FEMA monies approved for Isleton would be used first to pay off the Cal OES advance.

In the fall of 2023, City Manager Bergson sought interim financing from Red Tower Capital, a private lender, which offered to provide the City with a one year, \$500,000 bridge loan. A bridge loan is customary to get a city through low cash periods. This was to be a twelve-month loan at 12% interest, secured by three city properties - City Hall, the Isleton Fire Department building, and City corporate yard - with additional fees of approximately \$17,000.

At the City Council's November 14, 2023, meeting, Bergson asked the Council to proceed with the loan from Red Tower. The Council's agenda packet included a staff report and a term sheet for the Red Tower loan, both of which listed the City properties that were used as collateral. Bergson asserted the City was financially stretched due to the 2023 Winter Storm Emergency, had endured large expenses for managing and mitigating damage to City facilities, and had submitted claims for those expenses to Cal OES, FEMA, and city insurance for reimbursement. The Council was told FEMA and Cal OES had committed to reimbursement for the storm expenses but would not commit to a date when these funds would be coming. The Council packet did not include any further reports detailing city finances.

According to a recording of the meeting, the Council was told “There’s no debate we will get the Cal OES and FEMA money...We have a million point something coming in in January or February”.

Until this loan request was made, Council members believed city finances were in good shape. After vigorous discussion, the proposed loan was rejected by the Council (2-3 vote). Bergson then asked the Council to reconsider their vote. Bergson provided many dire scenarios with potential financially devastating outcomes for the City if the Council did not approve the loan. According to a recording of this Council meeting, Bergson said “We don’t have cash to meet payroll; essentially we are going to run out of cash”, and “we are looking at layoff of personnel”.

These arguments persuaded two council members to change their votes. This time the Council approved the loan (4-1 vote). Although the official meeting minutes only show there was one vote, the recording clearly documents a second vote.

The Council relied upon Bergson’s verbal representations in considering the Red Tower loan.

A year later, in November 2024, Cal OES notified the City that additional emergency funds beyond the \$506,517 loan were not approved. Shortly thereafter, FEMA paid \$622,770 toward Isleton’s claim. Of this amount, the first \$506,517 was used to repay the Cal OES loan. The remainder of \$116,253 was paid to Isleton. At the time of this report, Isleton has not received further monies from FEMA related to the California Severe Winter Storms of 2022-23 and the claim is still under review. As a result, there may be no FEMA funding to repay the Red Tower loan. The loan has been renegotiated but the City is still obligated to pay interest of \$5,200 per month, and the principal balance of \$500,000 is still outstanding.

ISLETON CITY MANAGER TURNOVER

NAME	TITLE	FROM	TO
Charles Bergson	City Manager	2/27/2017	2/15/2024
Scott Baroni	Interim City Manager	2/15/2024	7/15/2024
Uyoisa Felix Oviawe	City Manager	7/8/2024	12/17/2024
Scott Baroni	Interim Assistant City Manager	7/15/2024	12/9/2024
Scott Baroni	Interim City Manager	12/18/2024	1/7/2025
Mike Wilson	Interim City Manager	Approved for Hire; did not take office	N/A
Scott Baroni	Interim Assistant City Manager	1/7/2025	01/21/2025 (Reduction in Force approved by City Council)
Sectaris Partners LLC	City Manager	1/15/2025	4/8/2025
Kennedy Solutions, Inc.	City Manager	4/8/2025	PRESENT

2024: A Critical Time

February 15, 2024: Four months after approval of the Red Tower loan, Isleton's City Manager Bergson resigned. The Council appointed Isleton's long time Fire Chief Scott Baroni as Interim City Manager and commenced a search for a new City Manager. Baroni met with Bergson before he left office and was informed the City's finances were strong with a surplus of over \$800,000 for the year ahead. Within days of this meeting, Baroni learned the City had approximately \$37,000 in its bank account, a critically low sum for operations.

March 2024: Additionally, early 2024 saw a series of warnings to the Council about Isleton's precarious finances. In March, Baroni noted that staff and overtime expenses needed to be cut. To that end, the Council's Finance Committee reported in June that "we don't have money" and "we've cut a lot of things out". No action or direction was provided by the Council to address these warnings.

June 2024: The City's Finance Director resigned effective June 2024. Baroni and City staff then discovered that Isleton's debt was likely more than \$5 million and Isleton did not have enough money to keep employees on staff. Stacks of voided checks and signed checks had not been mailed, and Isleton was delinquent in vendor payments, including workers compensation and liability and property insurance payments that should have been made to the Small Cities Organized Risk Effort (SCORE), a joint power authority.

July 9, 2024: The City Council hired a new part time city manager, Uyiosa Felix Oviawe, who supervised Baroni in his new role as the Interim Assistant City Manager. The Council was informed by staff that there was a "struggle to pay bills and make payables". Mayor Bulahan was appointed Treasurer.

July 23, 2024: The Treasurer's report indicated that the City's General Fund balance was \$34,335.

September 24, 2024: At this Council meeting, Oviawe presented budget resolutions for Fiscal Years 2021-22, 2023-24, and 2024-25; however, the Council did not approve them.

October 8, 2024: At this Council meeting, Oviawe again presented the same budget resolutions for Fiscal Years 2021-22, 2023-24, and 2024-25; however, the Council did not approve them.

October 22, 2024: At this Council meeting, Oviawe again presented these three budget resolutions. The Council finally approved budgets for Fiscal Years 2021-22 and 2023-24, and for Fiscal Year 2024-25, with conditions. In addition, the Council had a closed session to discuss a performance evaluation for Oviawe because they were considering firing him three and a half months into his tenure.

November 5, 2024: Residents of the City of Isleton elected new Council members Aleida Suarez and Dean Dockery.

November 26, 2024: The City Council approved a resolution to set a public hearing for the Council to declare a fiscal emergency and authorize the filing of a Petition under Chapter 9 of the U.S. Bankruptcy Code.

December 9, 2024: Oviawe terminated the employment of Baroni.

December 10, 2024: New Council members Suarez and Dockery were sworn in, the public hearing on the Declaration of Fiscal Emergency was held, the Declaration was approved, and the City Council approved a contract to retain bankruptcy attorneys Prentice Long LLC to file a Petition under Chapter 9 of the U.S Bankruptcy Code on Isleton's behalf.

December 16, 2024: The Council provided notice of a Special Emergency Meeting to discuss in closed session these agenda items:

- Public Employee Performance Evaluation/Discipline/Dismissal Release: City Manager
- Public Employee Appointment: City Manager/Interim City Manager;
- Public Employee Discipline/Dismissal/Release, Appointment/Engagement: City Attorney

December 17, 2024: Oviawe notified the City of his immediate resignation, along with the immediate resignations of two long time City employees.

December 18, 2024: The Council reappointed Baroni as Interim Assistant City Manager, and dismissed its City Attorney.

January 7, 2025: At this meeting, the Council:

- Conditionally approved a final budget for Fiscal Year 2024-25;
- Retained Prentice Long to provide city attorney services in addition to bankruptcy filing services;
- Retained Jessica Bigby through Prentice Long as the City's Finance Director

January 15, 2025: The Council retained Sectaris Partners LLC (Sectaris), Jon Kennedy and Adam Cox, to provide City Manager services. Sectaris informed the Council that in about six months' time, the City will be at risk of losing grant awards and insurance

funding. Sectaris' also stated "We can no longer operate unlawfully and misspend tax dollars. This firm will act as a rescue CEO and stabilize the City."

January 21, 2025: The Council received a briefing on the City's debt and status of its bankruptcy filing, it partially approved a proposal to reduce the City's workforce and it retained Ridge Line Municipal Strategies to restructure Isleton's debt. City staff informed the Council the City was spending 150% of revenue, it "would run out of cash in three to five months", and that although bankruptcy had been approved, it had not yet been filed and was a "last resort".

The Council was further advised that insurance coverage was the "#1 issue" because the City could not operate without the protection of insurance. The Council was told the City was delinquent in payments and SCORE's Executive Committee had just voted to terminate Isleton's membership. Sectaris advised the Council of its plan to attend the SCORE board meeting in person on January 24, 2025, to plead for continued coverage, an extension of time to pay amounts in arrears, and to hand deliver a check.

The Council approved parts of the Reduction in Force proposal, laying off Baroni, the Accounts Payable Clerk and Building inspector. The Council neither approved laying off all paid Fire Department staff nor agreed to give Sectaris permission to negotiate services with River Delta Fire District; rather it asked Sectaris to come back at the next meeting with a proposal to restructure fire services.

January 24, 2025: Sectaris and Councilmember Kent met in person with SCORE's Board, delivered a partial payment, and asked for an extension of time to pay the balance and continue coverage. SCORE voted to terminate Isleton's membership effective April 30, 2025, with the condition that the termination would be automatically rescinded if Isleton paid \$45,000 by March 28, 2025, and provided an approved budget.

February 11, 2025: The Council received a "City Fire Services Update" from Sectaris advising the City had extended the employment of paid firefighters from two to four weeks allowing additional time to assess volunteer staffing levels. The Council took no action to stop Sectaris from its intention to lay off current paid Isleton firefighters at the end of the stated four-week period.

The Council further received a briefing from Bigby as follows:

- Progress on fiscal stabilization had been made;
- Bankruptcy was not an immediate need
- Payment priorities had been established
- The financial situation was showing improvement
- City management was keeping up on incoming and outgoing cash flow
- Cost cuts were being made

Bigby stated a “loose” budget for the coming fiscal year could be ready by March 28, 2025, to comply with SCORE’s requirements for continuance of the City’s insurance. The Council approved the sale of fire equipment to reduce debt and to obtain funds to pay some past due insurance premiums.

Councilmember Dockery resigned from the Council, for personal reasons, at the conclusion of the February 11, 2025 meeting.

February 25, 2025: The Council announced Dockery’s resignation and voted to move forward with appointing a new member to fill the vacancy. Bigby told the Council at this meeting “filing bankruptcy was still a possibility, but as a last resort” and “staff was continuing to fix the financial situation.” Bigby reported the City had made the obligated payments to SCORE and a third payment was coming due. Bigby advised the Council the City’s debt total was still close to \$5 million.

March 11, 2025: The Council was advised that while Isleton was still in a financial crisis because of the March 28 insurance payment deadline, the City’s debt was closer to \$4 million after sale of fire equipment.

March 25, 2025: The Council appointed Cara Pellegrini to fill the vacant City Council seat.

March 28, 2025: Sectaris, Bigby and Councilmember Kent attended SCORE’s Board meeting and presented a \$45,000 check, a budget, and an update on Isleton’s financial condition. SCORE voted to continue Isleton’s membership and insurance with the requirement that Bigby and Kennedy meet with SCORE’s Executive Committee over the next three months to provide financial updates and work out a payment plan, with Isleton coverage to be revisited at SCORE’s June 2025 Board meeting.

April 8, 2025: Council members approved acceptance of Sectaris’ contract termination notice and contracted with Kennedy Solutions, Inc. (Jon Kennedy) to provide City Manager services at a lower rate.

April 11, 2025: Bigby identified substantial financial liabilities under two general categories, City Sewer Improvements and General Fund totaling almost \$5 million. The proposed budget for Fiscal Year 2025-2026 shows a balanced budget of \$1.8 million in revenues and \$1.8 million in expenses which include debt service payments of \$432,939.

April 24, 2025: Bigby provided the City Council with an update to Isleton’s fiscal stabilization efforts in which she stated, “The community, council and management remain committed to forging the best path forward, which unequivocally means remaining outside of bankruptcy.”

METHODOLOGY

The 2024-2025 Grand Jury received multiple complaints regarding the governance of Isleton. During its investigation, the Grand Jury reviewed or obtained information from many sources, including, but not limited to:

- Interviews with complainants, former and current Isleton staff, former and current elected officials of the City of Isleton and Sacramento County, current Isleton contract management staff, Isleton's independent CPA, and outside contractor(s)
- Virtual attendance at City Council meetings
- In-person visits to Isleton City Hall to review records
- Minutes and agenda packets for City Council meetings for multiple years
- California statutes
- Isleton's Code of Conduct and Municipal Code
- Isleton's independent audits, including the latest audit for Fiscal Year 2020-2021
- Isleton's budgets
- Isleton's financial and operations records
- Isleton's claim to California Operation of Emergency Services (Cal OES) for reimbursement of disaster related expenses
- Previous Sacramento County Grand Jury reports (1990 to 2022)
- Information available from federal, state, county, city and other websites pertaining to claims, grants and cannabis

DISCUSSION

The Obligations of the City Council

Members of a City Council are at all times *trustees of the public welfare*. Before commencing any term, a council member must take and subscribe to the oath of office specified in the California Constitution. Elected officials must also comply with California law, their municipality's Code of Ethics and Code of Conduct, as well their city's charter and municipal code.

Each member of the Isleton City Council took an oath of office, promising, among other things, to “. . . well and faithfully discharge the duties upon which I am about to enter”.

In 2008, the Council unanimously adopted a Code of Conduct which provides the “minimum standards for city council conduct”. This Code of Conduct, which the City has posted for public viewing on its website, requires Council members entering office to affirm they have read and understood this Code and to annually review the Code.

Among the duties and responsibilities required by the Code of Conduct, the Council members must:

- Work for the common good of the people of Isleton and not for any private or personal interest
- Not exceed their authority, breach the law or City policy, or ask others to do so
- Adhere to the Council-Manager form of government where the Council sets policy and the City Manager implements
- Not interfere with the administrative functions of the City or the professional duties of City staff, such as disrupting staff from the conduct of their jobs or by creating a hostile work environment
- Not involve themselves in administrative functions without the approval of a majority of the Council

In 2020, the City Council adopted Ordinance 2020-08 by which it enacted the Isleton Municipal Code (IMC), a compilation of the City's rules, regulations and standards. Council members and city staff must comply with the City's municipal code.

Failure to Adopt Budgets in a Timely Manner

Under California law, a public agency may not spend public funds without the authority to do so. A budget appropriates public funds, thereby providing the legal authorization from the governing body to expend those funds. Many provisions of the Isleton Municipal Code reference an adopted annual budget and presume the Council will adopt one each year.

Isleton's fiscal year begins on July 1 and ends on June 30. Proper management requires each budget to be adopted prior to the commencement of the fiscal year, i.e., by June 30.

Specifically, the Grand Jury found:

- City Council did not adopt a final budget for Fiscal Year 2021-22 until October 22, 2024, which was nearly two and a half years late;
- City Council did not adopt a final budget for Fiscal Year 2022-23 until December 13, 2022, which was nearly 7 months after the start of the fiscal year.
- City Council did not adopt a final budget for Fiscal Year 2023-24 until October 22, 2024, which was nearly a year and a half late; and
- City Council has only given conditional approval of the proposed budget for Fiscal Year 2024-2025 (on October 22, 2024 and January 7, 2025).

The Council has operated without approved budgets for long periods of time and Council members could not explain why they were not approved in a timely manner.

This is not the first time this Grand Jury has found Isleton was operating without budgets. The Grand Jury investigations in 2005-2006 and 2007-2008 found Isleton was operating without budgets for several years.

Failure to Ensure Timely Independent Audits

The Isleton Municipal Code requires there to be an audit of the City's accounting records every year. "The audit should be performed not later than six months following the close of each fiscal year of the city" (IMC section 3.04.100). A financial audit ensures transparency, accountability and integrity of a government's operation.

Isleton's last independent audit was for the fiscal year ending June 30, 2021 (2021 Audit). The 2021 Audit found material weakness in the City's internal controls over financial reporting and year-end closing procedures. The 2021 audit was "qualified" because the City had spent restricted Redevelopment Funds and had no apparent means to pay those monies back. The Council was presented with the 2021 Audit on October 10, 2023, and voted unanimously to accept it. However, the Council did not provide any direction to remedy the deficiencies noted in the independent audit.

Audits for Fiscal Years 2021-22, 2022-23 and 2023-24, are drastically behind schedule and still incomplete. Auditors are hampered by poor record keeping due to missing records and insufficiently trained staff. Because of not having a current audit, Isleton may not qualify this Fiscal Year to receive federal funds or other grants.

This is not the first time this Grand Jury has found Isleton City Council failed to ensure timely completion of audits. The Grand Jury investigations in the years 2005-2006 and 2007-2008 found the City had not been able to obtain acceptable audits of its books and financial records.

Comingling of Restricted Funds with General Funds

State law and the Isleton Municipal Code require restricted funds to be kept separate from general funds and only expended for the stated purposes. Restricted funds include redevelopment funds, sewer funds, and Measure B (Fire Department) funds. In violation of these laws, Isleton has not kept restricted funds separate for at least 10 years. Specifically, the city's financial records show sewer and Measure B restricted funds commingled with the general fund.

This is not the first time this Grand Jury has found Isleton failed to properly segregate or account for restricted funds. The Grand Jury investigations in 1994-1995, 2005-2006 and 2007-2008, also found Isleton commingled and did not repay funds which should have been kept segregated for their intended use.

Failure to Monitor City Finances

The City is in a state of serious indebtedness. Because of the Council's failure to understand and monitor the City's finances, the Council made uninformed financial decisions pertaining to those finances. For example, the Council approved the Red Tower loan without requesting current bank statements, documentation showing reliability of anticipated revenues (FEMA), or information about the City's long-term debt and anticipated expenditures. They also allowed City properties to be used as collateral.

The Grand Jury has learned that the City has approximately \$5 million in debt and that the new Fiscal Year 2025-2026 budget only shows payments of \$432,939 toward this debt.

SIGNIFICANT FUND LIABILITIES AND DEBT		
<i>Reported as of April 11, 2025</i>		
SEWER FUND		
2012 Wastewater Revenue Bond / US Bank	\$1,760,000	
2004 Certificates of Participation	\$801,700	
State Water Board	\$19,290	
TOTAL SEWER FUND		\$2,580,990
GENERAL FUND		
Redevelopment Agency	\$912,612	
Red Tower Financial (Bridge Loan)	\$500,000	
Sacramento Sheriff Contract	\$427,534	
Employment Development Dept	\$183,017	
SCORE (Payments estimated)	\$166,781	
State Compensation Insurance Fund	\$58,865	
TOTAL GENERAL FUND		\$2,248,809
TOTAL		\$4,829,799

Failure of Oversight of Cannabis Businesses

Isleton adopted ordinances in 2018 to allow the operation of cannabis businesses in the City to increase revenues. The businesses were approved to operate under business licenses and the terms of Conditional Use Permits (CUPs), which were subject to annual and five-year reviews. Isleton has not performed the required annual or five-year reviews of its cannabis businesses. In addition, the City has not collected quarterly sales tax revenues from these businesses for well over a year. Some cannabis businesses have "ghosted" the city, closing and leaving town without paying their outstanding sales tax and fees. There is little recourse for the city beyond revocation of a CUP, which doesn't matter if a business leaves town.

The City has lost the anticipated revenue because of its failure to oversee appropriately its cannabis businesses.

City Council's Duty of Oversight of City Manager

The City Manager works at the general direction of the City Council and is responsible for the efficient administration of the affairs of the city (IMC section 2.12.020). The City Manager reports to, and is supervised by the Council. A City Manager can only be removed by the Council (IMC section 2.12.060(B)).

The Municipal Code requires its City Manager to present a yearly report concerning the city's finances and fiscal activities to the Council (IMC section 2.12.020(G)). The Council did not ensure that it received this yearly report.

The City Council also failed to ensure the City Manager was carrying out his duty for the "efficient administration of city affairs" (Isleton Code of Ordinances, Title 11, Chapter 2, City Manager, section 2.12.020) in light of the finding made after the City Manager resigned that Quick Books entries had not been kept current, bank statements and invoices were missing, bank statements were not reconciled; all checks were not entered into City records, uncashed checks were found in office drawers; records were described to be in "a mess", and the City's finances were described as being in "chaos". The lack of complete detailed records and missing records greatly hampered the Grand Jury in its investigation.

City Council Members Lacked Training to Govern

The only requirement to be on City Council is being a registered voter in the City of Isleton. That means you must be 18 years of age, a resident of the City, and eligible to vote in the next election. Based on these minimal requirements to serve on the Council, training is critical in order for Council members to fulfill their duties. Admissions from Isleton Council members point to a lack of training about:

- Governance duties
- Ethics
- Harassment and Discrimination Prevention
- Oversight of the City Manager
- Monthly financial reporting
- Code of Conduct

Council members acknowledge a "lot of incompetency" and "failures" on their part. Training in governance is available for council members through SCORE, the League of California Cities, and other organizations. State training is also mandated for all council members in Ethics and Harassment and Discrimination Prevention.

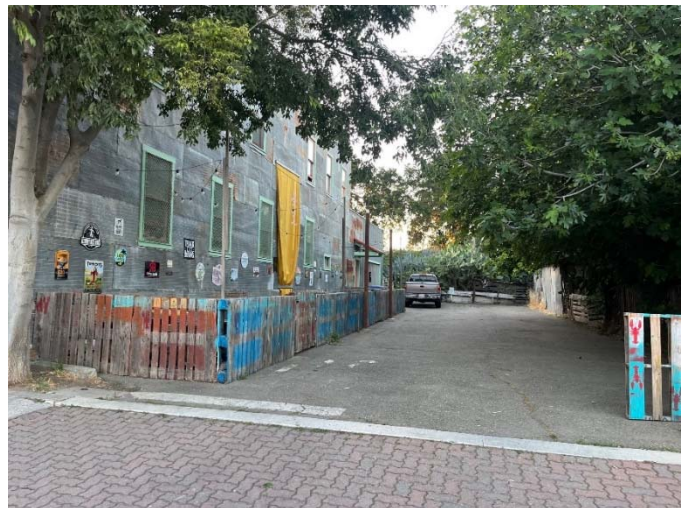
This is not the first time this Grand Jury has found the City Council did not have proper training for the conduct of government business. The Grand Jury investigations for each of the years 1995-1995, 1997-1998, 2005-2006, and 2006-2007 recommended training resources for the City Council to use to assert better governance.

Failure to Follow Code of Conduct, Local Ordinances, and State Law

The Isleton Code of Conduct directs complaints alleging a code violation to the City Manager or City Attorney for a determination of the appropriate response to correct the violation. It also authorizes the Council to, in a public meeting, impose specified sanctions. These sanctions include reprimand, censure, loss of committee assignments or liaison assignments, and other penalties as warranted.

Two examples illustrate Code of Conduct violations, with no sanctions yet being considered:

- 1) In October 2024, Council member Kent attempted to undermine Oviawe's authority by contacting and requesting Baroni circumvent Oviawe when making City-related decisions. Baroni would not commit to Kent's request.
- 2) Current Mayor Walton has been a member of the Council since 2018 and operates the Mei Wah Beer Room at 35 Main Street in Isleton. Prompted by the need for outdoor seating during COVID, Mayor Walton requested an encroachment permit in 2020 to build a seemingly permanent area on F Street which abuts the bar. F Street is a public street which runs north/ south next to Walton's bar.



During the Covid period of 2020 through 2021, many restaurants and bars in Sacramento County and California were allowed to use public sidewalks and

portions of streets for outside seating. Mayor Walton paid \$234.50 for an "Encroachment permit bar outside", per an invoice dated September 22, 2020. However, records of its approval, and the permit itself, are missing. Soon after, in 2021, Walton began using the entire street adjacent to the seating area for special events blocking the public's access. On June 13, 2023, Walton obtained another Encroachment Permit for the seating area. Walton made a payment of \$50 for this permit. This permit for the seating area expires on June 13, 2025. Unless it is renewed, she will be in violation of the City ordinances for the partial use of F Street. Walton has no permit for the use of the entire street. The painted "STOP" letters at F and Main streets are partially covered by Walton's outdoor seating area.

Mayor Walton wrote to Oviawe on October 16, 2024 to request an expansion of her encroachment permit "to include the entire lot [street] at F and Main for 50 days a year". That permit has not been issued. Walton continues to use the entire street without a permit which is a violation of the City's ordinances

Walton's use of public land for her personal gain violates the following sections of the Isleton Code of Conduct for City Council members:

Acts in the Public Interest

"City Council members will work for the common good of the people of Isleton and not for any private or personal interest, and they will assure fair and equal treatment of all persons, claims, and transactions coming before the City Council." (Code of Conduct, section 1)

Dedicated Service in Compliance with the Law

"City Council members will not exceed their authority, breach the law or City policy, nor ask others to do so. They will work in cooperation with each other, other public officials and staff". (Code of Conduct, section 2)

Fair and Equal Treatment

"Preferential consideration upon the request or petition of any individual shall not be given. No person shall receive special advantages beyond that which are available to any similarly situated citizen or staff member. . . ." (Code of Conduct, section 3)

In addition, coverage of the STOP lettering on F Street puts the public at risk.

Council's Behavior Created the Appearance of Impropriety

When Dockery was elected to the Council in November 2024, he was the Fire Chief. On November 12, 2024, Council was told its City Attorney had advised the position of Fire

Chief and Council member were incompatible under Government Code section 1099. Council took no action nor gave any direction to the City Manager upon receiving this information. Shortly thereafter, Oviawe changed Dockery's position from Fire Chief to Assistant Fire Chief while allowing him to retain the same salary and benefits. At the same time, Oviawe appointed an unpaid volunteer to serve as Interim Fire Chief.

While this title change may have provided a technical remedy to the Government Code conflict, it created the appearance of impropriety and resulted in a loss of public trust.

City Council's Historical Failure of Governance

The City of Isleton is no stranger to Grand Jury investigations. The Sacramento Grand Jury has received many complaints about Isleton's governance over the last 35 years and has initiated 10 investigations since 1990. The common denominator underlying the complaints is poor governance. Recurring recommendations of previous Grand Juries include:

- Adopt written policies and procedures and follow them
- Adopt annual budgets and monitor them closely
- Ensure timely independent audits of city financial books and records and operations
- Attend training on city governance

All of these failures have contributed to the present financial distress of the City of Isleton.

The Council members failed to hold themselves to the high standards required by their office.

Three Council members are up for reelection in November of 2026.

FINDINGS

F1: The Grand Jury finds the Isleton City Council repeatedly failed to timely adopt final budgets denying the City the necessary tool to track and assess its financial position. (R1)

F2: The Grand Jury finds the Isleton City Council violated state law and the City's own municipal code by not ensuring the completion of an annual independent audit in a timely manner, which created an obstacle to securing grants and resulted in the loss of revenues for the city. (R2)

F3: The Grand Jury finds the lack of oversight of the City Manager resulted in delayed discovery of the violation of state laws relating to misusing and comingling restricted funds. (R3)

F4: The Grand Jury finds members of the City Council did not adequately monitor the City's finances, thereby contributing to a state of serious indebtedness. (R4)

F5: The Grand Jury finds the City Council failed to provide appropriate oversight of the City's cannabis program to ensure collection of revenues and timely review of compliance with conditional use permits, thereby resulting in a loss of revenue to the City. (R5)

F6: The Grand Jury finds the City Council failed to provide appropriate oversight of the City Manager to ensure the City Manager carried out his duty to keep the Council continuously apprised of the financial state of the City, which resulted in the City Council making uninformed financial and operational decisions (R6)

F7: The Grand Jury finds members of the City Council lack experience and training in city governance thereby denying the residents of Isleton of effective representation. (R7)

F8: The Grand Jury finds the City Council did not follow its own Code of Conduct which created a public distrust in city officials and added stress to City staff members resulting in several leaving their positions. (R8)

F9: The Grand Jury finds that City staff failed to maintain complete and accurate records of City finances and other City operations which hampered the City's ability to complete audits, enforce ordinances, and make sound financial decisions. (R9)

RECOMMENDATIONS

R1: The Grand Jury recommends the City Council annually adopt a final budget, including a separate accounting for restricted funds, no later than June 30 for the coming fiscal year, beginning with Fiscal Year 2026-2027. (F1)

R2: The Grand Jury recommends the City Council ensure an independent annual audit of City operations and accounting occurs no later than 6 months following the end of the fiscal year, and that the City work with a licensed CPA with experience in municipal accounting, to conduct missing audits by March 30, 2026. (F2)

R3: The Grand Jury recommends the City Council require the City Treasurer to ensure restricted funds are segregated (rather than co-mingled) and create and implement a plan with the City auditor to account for restricted funds, with progress reports every quarter, beginning no later than December 31, 2025. (F3)

R4: The Grand Jury recommends the City Council continue to closely monitor the City's financial position and assess whether bankruptcy or disincorporation is in the best

interest of the residents of Isleton, and report out on their conclusion in a public meeting by December 31, 2025. (F4)

R5: The Grand Jury recommends the City Council enforce its ordinances related to cannabis enterprises, beginning no later than December 31, 2025. (F5)

R6: The Grand Jury recommends the City Council require the City Manager and Finance Director to keep Council continuously apprised of the financial state of the City by providing account balances, expenditures, debts, investments, and reports that compare budget to actual results, on a monthly basis, beginning no later than December 31, 2025. (F6)

R7: The Grand Jury recommends each City Council member undergo comprehensive training on their duties and responsibilities as council members, and publicly provide verification of their completion of this training and understanding of their roles, by no later than December 31, 2025. (F7)

R8: The Grand Jury recommends the City Manager, City Attorney, and City Council determine an appropriate course of action, including sanctions, for violations of the Code of Conduct and announce those actions at a public meeting, beginning no later than December 31, 2025. (F8).

R9: The Grand Jury recommends the Council direct the City Manager to ensure complete and proper recordkeeping for all city operations by December 31, 2025. (F9)

REQUIRED RESPONSES

Pursuant to Penal Code sections 933 and 933.05, the grand jury requests responses from the following elected officials within 90 days, for all Findings and Recommendations:

Isleton City Council
City of Isleton
P.O. Box 716
Isleton, CA 95641

Mail or Deliver a Hard Copy Response To:

The Honorable Bunmi Awoniyi
Presiding Judge

Sacramento County Superior Court
720 9th Street
Sacramento, CA 95814

Email the Response To:

Ms. Erendira Tapia-Bouthillier
Sacramento County Grand Jury Coordinator
Email: TapiaE@saccourt.ca.gov

INVITED RESPONSES:

Supervisor Pat Hume, District 5
Sacramento County Board of Supervisors
700 H Street, Suite 2450
Sacramento, CA 95814

Jose Henriquez, Executive Director
Sacramento County LAFCo
1112 I Street, Suite 100
Sacramento, CA 95814

City Manager
Jon Kennedy, City Manager
City of Isleton
P.O. Box 716
Isleton, CA 95641

Prentice Long, PC, City Attorney
City of Isleton
P.O. Box 716
Isleton, CA 95641

CONFINEMENT TOURS

Penal Code section 919(b) states, "The grand jury shall inquire into the condition and management of the public prisons within the county." This law requires that each grand jury conduct an "inquiry", not a full investigation, nor a report. The Civil Grand Jurors Association believes that, in fact, a grand jury report cannot be written without a full investigation. The reason why a grand jury report must be based on a full investigation is that each grand jury report must include findings and recommendations. Penal Code section 916 requires that the grand jury must insure that "all findings in its final reports are supported by documented evidence". This requirement has been universally accepted to mean that the evidence in any grand jury report be verified by at least two sources. A simple sight visit or tour of a confinement facility, although satisfying and inquiry, does not provide the requirement of verification since it provides information from only one source. In order to write a report, a full investigation must be conducted so that all facts contained therein have been verified by at least two sources.

Consequently, the 2024-2025 Sacramento County Grand Jury did not write any confinement reports. The Grand Jury did satisfy Penal Code section 919(b)'s inquiry requirement by touring all of the public prisons in Sacramento County as follows:

- The Sacramento County Main Jail on September 18, 2024
- The Youth Detention Facility on September 20, 2024,
- The Rio Cosumnes Correctional Center on October 2, 2024
- California State Prison at Sacramento on November 11, 2024
- Folsom State Prison on December 4, 2024

SACRAMENTO COUNTY GRAND JURY 2024-2025

We wish to extend our deepest appreciation and special gratitude to Endy Tapia-Bouthillier, Operations Supervisor, Office of the Jury Commissioner, and Grand Jury Coordinator. Endy's invaluable assistance and steadfast coordination were instrumental in all aspects of the final grand jury report.

2024 - 2025 Grand Jurors

Bottom row, left to right: Rick Pincombe, Jessica McGuire, Elizabeth TenPas (Foreperson), Scott McDonald, Christine Jordan

Second row from bottom: Rick Pratt, Patty Takeuchi

Second row from top: Maryjane Fatigati, Maria Gassoumis, Laurie Sopwith

Top row: Paul Proett, LeVance Quinn, Tim Tyler, Miguel Mejia, Jeff Neczypor, Nancy Van Leuven

Not pictured: Barry Boyd, Kimberly Hunter, Jack Zorman

