



**RESOLUTION 2024-XX**

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE KENSINGTON FIRE PROTECTION DISTRICT SUPPORTING FINDINGS AND RECOMMENDATIONS IN THE REPORT OF 2023-2024 CONTRA COSTA COUNTY CIVIL GRAND JURY: THE CCC COMMUNITY WARNING SYSTEM**

**WHEREAS**, the Kensington Fire Protection District is a special district organized under the laws of the State of California and includes within its jurisdiction all properties in the unincorporated portion of the community of Kensington; and

**WHEREAS**, the Kensington Fire Protection District’s mission is to provide the highest level of service to Kensington in order to protect the lives, property, and environment of the community from the disastrous effects of fires, medical emergencies, natural disasters, and other hazardous conditions; and

**WHEREAS**, the Kensington Fire Protection District’s Emergency Preparedness Committee reviewed and recommends supporting key findings and recommendations of *The Report Of 2023-2024 Contra Costa County Civil Grand Jury: The CCC Community Warning System*.

Findings

- F11. Outdoor warning systems supplement other warning tools by providing acoustic (voice or siren sounds) to people who are outdoors.
- F12. Long Range Acoustic Devices (LRADs) can broadcast audible instructions to people outdoors when cell phones and other alert-receiving devices may not be working or heard.
- F13. A sound study is needed to evaluate where, if at all, LRADs might be effective in Contra Costa County.
- F14. Sites where LRADs could be located would need to be identified for any areas in which LRADs are found to be effective.
- F15. The County would incur a cost for a sound study on the feasibility to deploy LRADs within the County.
- F16. There is no estimate of the cost for an independent, third party to conduct a feasibility study for the use of LRADs within the County.

Recommendations

- R3. By December 31, 2024, the Board of Supervisors should commission a sound study by an independent, third party to determine the feasibility of deploying LRADs in any areas of the County.
- R4. By June 30, 2025, the Office of the Sheriff should train employees in the Sheriff’s dispatch center to operate the CWS.
- R5. By March 31, 2025, the Office of the Sheriff should implement a plan to conduct testing of the CWS to determine the causes of the failure of CWS alerts to reach all the intended recipients of test alerts within 10 – 20 minutes of the time the alert is sent.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors hereby supports the aforementioned findings and recommendations of The Report Of 2023-2024 Contra Costa County Civil Grand Jury: The CCC Community Warning System.

The foregoing resolution was duly adopted at a regular meeting of the Kensington Fire Protection District on the XX day of \_\_\_\_\_ 2024 by the following vote of the Board.

**AYES:**  
**NOES:**  
**ABSENT:**  
**ABSTAIN:**

\_\_\_\_\_  
**Daniel Levine, President**

\_\_\_\_\_  
**Rick Artis, Secretary**



**CONTRA COSTA COUNTY CIVIL GRAND JURY REPORT NO. 2402**  
**"The Contra Costa County Community Warning System: Will Everyone Get a Warning in Time?"**

**BOARD OF SUPERVISORS' RESPONSE**

**FINDINGS** – California Penal Code Section 933.05(a) requires a response to the designated findings of the Grand Jury.

**RESPONSES TO FINDINGS:**

**F1. The CWS is used in response to emergencies in the County.**

*Response: Agree with the finding.*

**F2. About 30% of County residents have created a CWS account and entered their contact data.**

*Response: Agree with this finding.*

**F3. The approximately 70% of residents who haven't registered with CWS may not receive any alerts in the event that other alerting tools not reliant on registration in the CWS - WEA, radios, and TVs - are not activated.**

*Response: Disagree with this finding. Though the County agrees that approximately 30% of County residents have registered with CWS, it does not correlate with an approximate 70% of residents who may not receive any alerts. Each emergency alert is tailored to target individuals in specific areas that may be at risk or in danger; therefore, a fixed percentage of residents that may or may not receive alerts in a specific geographic area would be an oversimplification. Furthermore, alerts and notifications include residents that have self-registered with CWS, as well as those whose contact information was obtained through Reverse 911 ATT data and will continue to be obtained via contracts with other utility providers, as permitted by federal and state laws.*

**F4. Additional redundancies in the processes and operation of the CWS can increase the potential for more people to receive timely alerts.**

Response: *Agree with the finding.*

**F5. To enable the redundancy of other alerting tools - sending recorded voice messages to cell and VoIP phones, text messages, and emails - the contact data for these devices must be registered in the CWS.**

Response: *Disagree with this finding. Contact data from CWS includes residents that have self-registered with CWS, as well as those whose contact information was obtained through Reverse 911 and contracts with utility providers, as permitted by federal and state laws.*

*CWS currently has many redundancies enabled, which include three phone numbers, three text message numbers, and three emails within one CWS profile. In addition, Wireless Emergency Alerts (WEA), Emergency Alert System (EAS), and sirens for hazardous materials incidents have redundant procedures in place. CWS alerts and notifications are also posted online (CWSAlerts.com) and via social media postings on "X" (Twitter) and Facebook, all of which do not require CWS registrations. County public information officers and external public information officers are notified immediately of all CWS alerts and notifications, which are distributed through their respective contacts, websites, and/or social media accounts.*

**F6. Phone numbers and associated physical addresses can be loaded into the CWS for all businesses and residents in the County from the various telecom providers that serve the County.**

Response: *Partially disagree with the finding. Contact information can be loaded into the CWS for most businesses and residents in the County. In addition to CWS self-registrations and ongoing public education campaigns to encourage registration, the County has loaded and will continue to load business and resident contact information in the CWS via Reverse 911 and contracts with utility providers, as permitted by federal and state laws.*

**F7. In an opt-out warning system, County residents and businesses that do not want their phone and/or email data in the CWS can request to have their data removed.**

Response: *Agree with this finding.*

**F8. The reliance of the CWS on voluntary registration creates a risk that too few residents will register their phones and email in CWS.**

Response: *Disagree with this finding. In addition to the County's multi-faceted resident CWS alert and notification efforts as described in F.5 and F.6, approximately 93-98% of new mobile phones have various emergency and public safety alerts activated by default and can be turned off by the user if desired. In July 2022 the Cellular Telecommunications and Internet Association (CTIA) found that over 60% of active smartphones support Enhanced Geo-Targeting, an increase of 34% from the previous year. Given the reported handset lifetime of 35 months estimated by Strategy Analytics in June 2022, and the annual and quarterly trend in the share of WEA 3.0 capable smartphones, the CTIA concludes that such handsets amount to a majority of active smartphones in use in 2022.*<sup>1</sup>

**F9. An opt-out system would incur annual costs for data subscriptions on the order of \$100,000.**

Response: *Disagree with this finding. The County cannot confirm the source of the \$100,000 data subscription referenced in the Grand Jury's report.*

**F10. An opt-out system would incur an initial cost to educate residents and businesses of the CWS system change on the order of \$500,000.**

Response: *Disagree with this finding. The County cannot confirm the source of the \$500,000 for initial costs referenced in the Grand Jury's report.*

**F.11 Outdoor warning systems supplement other warning tools by providing acoustic (voice or siren sounds) to people who are outdoors.**

Response: *Agree with this finding.*

**F.12 Long Range Acoustic Devices (LRADs) can broadcast audible instructions to people outdoors when cell phones and other alert-receiving devices may not be working or heard.**

Response: *Agree with this finding. The County agrees that LRADs can broadcast audible instructions to people outdoors but cannot verify they are audible or heard by people outdoors when cell phones and other alert-receiving devices may not be working or heard. Various factors could impact LRAD broadcasts, including geographic location of LRADs and the potential reliance of LRAD technology on cell phone towers for acoustic alerts and notifications.*

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<sup>1</sup> <https://www.fema.gov/emergency-managers/practitioners/integrated-public-alert-warning-system/public/wireless-emergency-alerts/geographic-accuracy-wea>

**F.13 A sound study is needed to evaluate where, if at all, LRADs might be effective in Contra Costa County.**

*Response: Agree with this finding.*

**F.14 Sites where LRADs could be located would need to be identified for any areas in which LRADs are found to be effective.**

*Response: Agree with this finding.*

**F.15 The County would incur a cost for a sound study on the feasibility to deploy LRADs within the County.**

*Response: Agree with this finding.*

**F.16 There is no estimate of the cost for an independent, third party to conduct a feasibility study for the use of LRADs within the County.**

*Response: Agree with this finding.*

**F.17 LRADs would be part of the County's emergency response warning tools.**

*Response: Partially disagree with this finding. LRADs are not currently a part of the County's emergency response warning tools. Until further studied, the County cannot confirm whether LRADs would be a meaningful addition to the County's emergency response warning tools.*

**F.18 Costs related to emergency response can be funded from Measure X revenue.**

*Response: Agree with this finding.*

**F.29 The CWS staff evaluates its systems and processes for risks.**

*Response: Agree with this finding.*

**F.30 The County has not engaged a firm with expertise in risk analysis of community warning systems to conduct a comprehensive risk analysis of the CWS since the County took control of the system in 2001.**

*Response: Agree with this finding.*

**F.31 The current process for improving the design and operation of the CWS for alerts not related to releases of hazardous chemicals resides within the Sheriff's Office.**

Response: Agree with this finding.

**F.32 There is no formal body or process that brings together emergency response experts from emergency response agencies in the County to focus and advise solely on the design and operation of the CWS.**

Response: Disagree with this finding. Though not the sole focus or topic of discussion, the Board of Supervisors' Industrial Safety Ordinance / Community Warning System Ad Hoc Committee and the County's Emergency Services Policy Board (ESPB), in which the County Administrator serves as the Chair and the Sheriff-Coroner serves as the Vice Chair, provide forums for emergency response experts from all emergency response agencies in the County to advise on the design and operation of the CWS.

**F.33 The functioning and effectiveness of the CWS can be improved, and operational risks reduced, with the implementation of a CWS advisory body.**

Response: Disagree with this finding. There is no need to establish a CWS advisory body. Existing County forums as mentioned in the response to F.32 above, are the most appropriate for addressing concerns on the functionality and effectiveness of the CWS and any improvements and operational risk prevention measures.

**RECOMMENDATIONS** - California Penal Code Section 933.05(b) requires a response to the designated recommendations of the Grand Jury.

**RESPONSES TO RECOMMENDATIONS:**

**R.1. By March 31, 2025, the Board of Supervisors should develop a plan to modify the CWS so that it automatically registers all available contact data for all County residents and businesses into its system and provides a mechanism for residents and businesses to opt out of the automatic registration process.**

Response: The recommendation has been implemented. In addition to direct CWS registrations and ongoing public education campaigns to encourage registration, the County CWS automatically registers contact data into its system via Reverse 911 and contracts with utility providers. Automatic registrations are done as permitted by federal and state laws and have a mechanism in place for businesses and residents to opt out. Since the CWS includes both opt in and opt out approaches, there is no need to develop a separate plan to modify the CWS system as recommended. The County is currently working on expanding automatic registration contact data sources, which may include power, water, and other utility companies, in accordance with State law.

**R.2. By December 31, 2025, the Board of Supervisors should complete the implementation of the plan to modify the CWS so that it automatically registers all available contact data for all County residents and businesses into its system and provides a mechanism for residents and businesses to opt out of the automatic registration process.**

*Response: The recommendation has been implemented. Please see response to R.1.*

**R.3. By December 31, 2024, the Board of Supervisors should commission a sound study by an independent, third party to determine the feasibility of deploying LRADs in any areas of the County.**

*Response: The recommendation requires further analysis. In addition to the statewide impacts of wildfires<sup>2</sup>, Contra Costa County has been negatively impacted by the California home insurance crisis, heat events and flooding resulting in damage to public and private infrastructure. Contra Costa County has also seen an increase in its FEMA National Risk Index score. Specifically, Contra Costa County has a current composite FEMA National Risk Index score of 99.6% and a FEMA Annual Loss score of 99.6%.<sup>3</sup> This means that Contra Costa County falls into the highest disaster risk category compared to other counties throughout the nation.*

*For these reasons, a comprehensive study of the County's emergency management/disaster response function, including planning, communications, such as LRADs, public outreach, training would be a more prudent path to understand the County's disaster risk exposure; however, further analysis is required to determine an appropriate and manageable scope for such a review. Over the past five years, the counties of Alameda, Marin, Sonoma and Monterey have conducted assessments of their respective emergency management/disaster response functions. The Emergency Services Policy Board, which also serves as the County's Disaster Council, is the best situated to determine and provide recommendations on the scope of such a study to the Board of Supervisors for final approval and direction.*

**R.6. By June 30, 2025, the Board of Supervisors should execute a contract with a third-party consulting firm to conduct a comprehensive risk analysis of the CWS, including its processes, procedures, contracts, hardware, and software.**

*Response: The recommendation requires further analysis. Please see response to R.3.*

**R.7. By March 31, 2025, the Board of Supervisors should direct the County's Chief**

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<sup>2</sup> [https://calfire-](https://calfire-forestry.maps.arcgis.com/apps/webappviewer/index.html?id=988d431a42b242b29d89597ab693d008)

[forestry.maps.arcgis.com/apps/webappviewer/index.html?id=988d431a42b242b29d89597ab693d008](https://calfire-forestry.maps.arcgis.com/apps/webappviewer/index.html?id=988d431a42b242b29d89597ab693d008)

<sup>3</sup> <https://hazards.fema.gov/nri/report/viewer?dataLOD=Counties&dataIDs=C06013>



**Administrative Officer to establish a CWS advisory subcommittee of the Emergency Services Policy Board.**

Response: *The recommendation will not be implemented. The County's Emergency Services Policy Board (ESPB) as a whole can address CWS topics. The ESPB includes the County Administrator as the Chair and the Sheriff-Coroner as the Vice Chair, as well as a multi-disciplinary group of department heads (or designees) from the various County departments involved in emergency and community warning services. A briefing on CWS activities was recently received by the ESPB at its March 12, 2024 meeting. Additionally, the Board of Supervisors has an Industrial Safety Ordinance / Community Warning System Ad Hoc Committee, which frequently discusses areas related to the CWS.*



CONTRA COSTA COUNTY OFFICE OF THE SHERIFF  
DAVID O. LIVINGSTON  
SHERIFF - CORONER

July 30, 2024

Peter Appert, Foreperson  
2024-2025 Civil Grand Jury  
725 Court Street P.O. Box 431  
Martinez, CA 94553-0091

VIA EMAIL AND US MAIL

**RE: Grand Jury Report No. 2402, The Contra Costa County Community Warning System: Will Everyone Get a Warning in Time?**

Dear Mr. Appert,

In response to your letter dated June 5, 2024, wherein you submitted findings and recommendations regarding the Contra Costa County Community Warning System, please see the responses below:

**Findings:**

**F19. At all times, one of the three CWS employees is the designated on-call duty officer who responds to requests for activation of the CWS.**

**Response: Partially disagree with the findings.** The Office of the Sheriff has three funded full-time CWS employees (one manager and two employees) assigned to the CWS Unit to manage, operate, test, train, evaluate, and develop policies and procedures related to the CWS and all emergency alert platforms. Any of the three CWS employees can be contacted during regular business hours to activate the CWS. We also have additional staff not assigned to the CWS who are trained to operate the system. During non-business hours, one of the full-time CWS employees is the on-call duty officer, and designated backup personnel are available if the duty officer cannot be reached.

**F20. In the event of disasters such as fast-moving wildfires, a reasonable time for alerts to be sent to the public is within 20 minutes of when the incident commander contacts the CWS duty officer.**

**Response: Partially disagree with the finding.** The CWS's ability to deliver effective and prompt alerts relies primarily on incident commanders providing timely, critical, and accurate

information to the CWS duty officer. The incident commander's timely provision of required information directly impacts the time necessary for an alert to go out to the public.

**F21. Once the CWS duty officer is contacted by the Sheriff's dispatch center the CWS duty officer has up to 10 minutes to call the incident commander.**

**Response: Agree with the finding.**

**F22. In the event the CWS duty officer is not reached after two attempts to contact them, the dispatch center attempts to contact a backup person to the duty officer.**

**Response: Agree with the finding.** CWS is developing a more robust call tree procedure requiring dispatch to immediately contact backup personnel if the duty officer cannot be reached after the initial attempt during non-business hours.

**F23. Additional time is required to contact CWS backup personnel and have them get to a computer and establish a secure connection into the CWS.**

**Response: Agree with the finding.**

**F24. In the event the CWS duty officer is not reached after two attempts by the dispatch center to contact them, the time required to contact backup personnel to the on-call CWS duty officer is uncertain.**

**Response: Agree with the finding.** CWS is developing a more robust call tree procedure requiring dispatch to immediately contact backup personnel if the duty officer cannot be reached after the initial attempt during non-business hours to mitigate potential time delays caused by human or technological factors.

**F25. Reliance on a single person to operate the CWS, the on-call CWS duty officer, creates a risk that alerts and notifications could be delayed.**

**Response: Partially disagree with the finding.** During business hours, all three full-time CWS Unit employees are on duty and available to activate the CWS. During non-business hours, the CWS utilizes backup personnel, primarily assigned to the CWS, to limit the risk of delays if the on-call duty officer is not initially available. Additionally, reliance on non-CWS personnel, i.e., dispatchers, to operate the system may create an additional delay risk since they will only use the system occasionally, and their familiarity with it may be limited.

**F26. Two evacuation drills in the city of Richmond in 2022 and 2023 resulted in half of the drill participants claiming they should have received a drill alert but did not, or received the alert hours after the drill was completed.**

**Response: Disagree with the finding.** CWS data does not support the finding. CWS data indicates approximately 90% overall successful delivery rate for both drills.

**F27. The CWS did not conduct any studies to verify or understand the claims Richmond evacuation drill participants made that they should have received a drill alert but did not, or received the alert hours later after the drill was completed.**

**Response: Disagree with the finding.** CWS staff did not receive feedback from the city of Richmond aside from the input from the survey results. Our CWS data indicated a high successful delivery rate for each event. CWS staff conducted an in-depth analysis of the data, which confirmed an overall successful delivery rate of approximately 90%. This analysis also included why a low percentage of users did not receive the alerts.

**F28. The CWS is not tested to determine the extent to which people actually notice, read, or hear alerts sent by the CWS.**

**Response: Partially disagree with the finding.** The CWS conducts ongoing scheduled and unscheduled testing of the system. The system testing can only verify that registered users received the alert, not who noticed, read, or heard it.

**F34. The Emergency Services Policy Board (ESPB) can create subcommittees, such as a CWS advisory committee.**

**Response: Partially disagree with the finding.** Only the ESPB can respond if it can create a subcommittee. The Board of Supervisors has a current Industrial Safety Ordinance (ISO) and Community Warning System (CWS) Ad Hoc Committee that regularly meets to discuss and review the CWS.

**F35. The CWS staff provides training materials to the fire districts/departments, police departments, and dispatch centers in the County on the use of CWS, its tools, types of warnings, activation, and information needed by the CWS duty officer.**

**Response: Agree with the finding.**

**F36. The CWS staff does not have a process to determine if the recipients of the training it provides to the first responders of the fire districts/departments, police departments, and dispatch centers who receive the training materials on CWS have read and understood the training materials.**

**Response: Partially disagree with the finding.** The CWS is implementing a training attestation process for Office of the Sheriff employees. The CWS will have discussions with external agencies to confirm if a similar training attestation can be self-imposed by those agencies.

**Recommendations:**

**R4. By June 30, 2025, the Office of the Sheriff should train employees in the Sheriff's dispatch center to operate the CWS.**

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The following information is provided for your information only. It is not intended to be used for any other purpose.

For more information, please contact the appropriate authority.

System support may vary between versions of the software. Please refer to the user manual for details.

The system is designed to be user-friendly and easy to use. It is intended for use by individuals who are familiar with basic computer operations. The system is not intended for use by children or individuals who are unable to read or understand the English language.

July 30, 2024

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**Response: The recommendation requires further analysis.** This recommendation will require further evaluation of the current dispatch training protocols, dispatch system access capabilities, dispatch staffing, and potential resource allocation. This analysis will be completed within six months of the publication date of the Civil Grand Jury Report.

**R5. By March 31, 2025, the Office of the Sheriff should implement a plan to conduct testing of the CWS to determine the causes of the failure of CWS alerts to reach all the intended recipients of test alerts within 10 - 20 minutes of the alert being sent.**

**Response: The recommendation has been implemented.** The Office of the Sheriff already conducts ongoing scheduled and unscheduled testing of the CWS. During and after each test, CWS staff evaluates all alerts after they are sent to determine sent/received success rates and causations for failed sent alerts. Furthermore, as part of the testing, the CWS Unit thoroughly reviews all the system's alerting components, including ongoing review and updates to CWS policies and procedures.

**R8. By June 30, 2025, the Office of the Sheriff should implement a process to ensure that first responders in County agencies who take the CWS training certify they have reviewed and understood the training materials.**

**Response: The recommendation requires further analysis.** The Office of the Sheriff will assess the use of online training software to attest that Office of the Sheriff employees have reviewed and understood the training materials. Further analysis of outside county agencies' training standards and practices would need to be conducted to determine if each county department can implement a similar procedure. This analysis will be completed within six months of the publication date of the Civil Grand Jury Report.

Please let me know if my staff or I can be of any further assistance.

Sincerely,

DAVID O. LIVINGSTON, Sheriff-Coroner



Jose Beltran, Assistant Sheriff  
Support Services Bureau

JB:sl