



County of Orange

County Executive Office

March 8, 2022

Honorable Erick L. Larsh
Presiding Judge of the Superior Court of California
700 Civic Center Drive West
Santa Ana, CA 92701

Subject: Follow-Up Responses to 2020-21 Grand Jury Reports

Dear Judge Larsh:

Please find attached the approved follow-up responses from the County of Orange Board of Supervisors for the 2020-21 Grand Jury Reports.

If you have any questions, please contact Lala Oca Ragen of the County Executive Office at 714-430-6153.

Sincerely,

Digitally signed by Frank Kim
DN: cn=Frank Kim, o=County of
Orange, ou=CEO,
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c=US
Date: 2022.03.08 16:14:00 -08'00'

Frank Kim
County Executive Officer

Enclosure

cc: FY 2020-21 Orange County Grand Jury Foreman
Lilly Simmering, Deputy County Executive Officer
Lala Oca Ragen, Director, Performance Management and Policy, County Executive
Office
Elizabeth Guillen-Merchant, Director, Performance Management and Policy,
County Executive Office



GRAND JURY FOLLOW-UP RESPONSES
2020-21

GJ Report	Recommendation	Response	Follow up Response
<p>Orange County Pandemic Preparedness</p>	<p>R1. EMC and OCHA to update the EOP and DORA Pandemic Influenza Plans respectively, to match international, state and CDC plans within one year from the date of this report. (F1)</p>	<p>This recommendation has not yet been implemented but will be implemented in the future. On May 12, 2021, the Emergency Management Council directed the Emergency Management Division (EMD) and OCHCA to begin the process of updating the Disease Outbreak Response Annex (DORA). Within 12 months, the EMD and the OCHCA will reconvene the DORA working group to update this Annex. Of particular note, the COVID-19 pandemic may result in significant changes to existing legislation and regulatory guidance. While every effort will be made to meet the goal of revising the annex within one year of the Grand Jury Report, this may be delayed as the County, State, and nation incorporate lessons learned from the COVID-19 pandemic response. See R2 response regarding updating of the EOP.</p>	<p>This recommendation has been partially implemented and will be fully implemented in the future. The Unified County of Orange and County of Orange Emergency Operations Plan (EOP) was revised through established working groups, approved by the Emergency Management Council and the Operational Area Executive Board in May 2021, approved by the California Office of Emergency Services in July 2021, and adopted by the Board of Supervisors in November 2021. The Disease Outbreak Response Annex has begun the revision process with a completion date anticipated to be December 2022.</p>



**GRAND JURY FOLLOW-UP RESPONSES
2020-21**

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<p>Orange County Pandemic Preparedness</p>	<p>R2. EMC to review the Orange County EOP Classification of a pandemic within one year from the date of this report to appropriately prioritize resources and to be prepared for future pandemics. (F2)</p>	<p>The recommendation has not yet been implemented but will be implemented in the future. It should be clarified that in the EOP, the current characterization of pandemic Probability is “Unlikely” correlated with an Impact rating of “High” to capture the significance that a global pandemic potentially has to Orange County. As described in the Federal Emergency Management Agency (FEMA) Comprehensive Preparedness Guide (CPG) 101 version 2:</p> <p><i>“Using a risk analysis, the planning team must compare and prioritize risks to determine which hazard threats merit special attention in planning.”</i></p> <p>https://www.fema.gov/sites/default/files/2020-05/CPG_101_V2_30NOV2010_FINAL_508.pdf (accessed May 20, 2021)</p> <p>This ‘special attention in planning correlates to hazard specific annexes to the EOP. DORA – a specific hazard annex – was created and is revised on a periodic basis. This special merit is demonstrated for the other hazards cited by the Grand Jury as being similarly ranked: San Onofre Nuclear Disaster, Flood/Reservoir/Dam emergency, and Terrorism. An Act of War is the sole hazard cited for which a supplemental Annex is not written.</p> <p>The Emergency Management Council (EMC) reviewed and approved a revised Unified County of Orange and Orange County Operational Area Emergency Operations Plan on May 12, 2021. The EMC directed the Emergency Management Division to review the rating of the pandemic hazard and return with any recommendations for additional changes to the pandemic rating within 12 months. The EOP is currently under review by the California Office of Emergency Services and, upon their approval, will be agendized for the Orange County Board of Supervisors’ adoption. When the EOP is presented to the Board of Supervisors for adoption, information will be provided to the Board regarding the rating status of the pandemic.</p>	<p>This recommendation has been implemented. The Unified County of Orange and County of Orange Emergency Operations Plan (EOP) was revised through established working groups, approved by the Emergency Management Council and the Operational Area Executive Board in May 2021, approved by the California Office of Emergency Services in July 2021, and adopted by the Board of Supervisors in November 2021. The Disease Outbreak Response Annex has begun the revision process with a completion date anticipated to be December 2022.</p>



**GRAND JURY FOLLOW-UP RESPONSES
2020-21**

GJ Report	Recommendation	Response	Follow up Response
<p>Orange County Sheriff's Department Evidence Booking Issue – Has it Been Resolved?</p>	<p>R1. Conduct an independent third-party audit of OCSD department reports submitted from March 2018 forward, to be performed by either the Orange County Office on Independent Review or the Orange County Internal Auditor within 180 days from the date of publication of this report. (F1, F2)</p>	<p>The recommendation requires further analysis. The Orange County Office of Independent Review (OIR) is currently conducting an investigation of instances prior to March 2018 in which evidence gathered by the Orange County Sheriff's Department (OCSD) was not booked, despite department reports that attested to proper logging and treatment of said evidence. The review will assess OCSD policies and practices that were in place during and after evidence booking issues were uncovered, with the goal of determining the causes of this past systemic failure and to assess the corrective actions that followed. The OIR will then make any necessary recommendations to help ensure that such issues don't reoccur and, barring that, are identified as quickly as possible by OCSD, the Orange County Office of the District Attorney, and the Office of the Public Defender.</p> <p>The OIR's review does not currently include an audit of OCSD department reports submitted from March 2018 forward. If the OIR's on-going work shows that such audit is necessary, then it will incorporate one into its work so that it can inform its work, conclusions, and related recommendations.</p>	<p>The Orange County Office of Independent Review (OIR) continues to review previous evidence booking failures by the Orange County Sheriff's Department (OCSD). Progress on the review is currently ongoing, as described in its most recent workplans, available here: https://oir.ocgov.com/sites/ocoir/files/2021-02/2020%20August%20Status%20Report.pdf</p> <p>The OIR's review is focused on instances in which OCSD deputies failed to book evidence, not on instances in which evidence was booked late. It is also assessing OCSD policies and practices that were in place during and after evidence booking issues were uncovered – enabling it to determine the causes of the failures and to assess the corrective actions that followed. The OIR will then make any necessary recommendations.</p> <p>The OIR's review does not currently include an audit of OCSD department reports submitted from March 2018 forward. If the OIR's on-going work shows that an audit is necessary, then it will conduct it and ensure its findings are reflected, as necessary, in its recommendations.</p>
<p>A Look Behind the Bars of the Orange County Jails</p>	<p>R10. Implement integrated software that allows communication and file sharing between CHS and BHS by June 30, 2022. (F11)</p>	<p>The recommendation requires further analysis. CHS will discuss the feasibility of this recommendation with Health Care Agency's Information Technology department and the electronic record vendors for CHS and BHS. CHS will report back in December 2021.</p>	<p>Health Care Agency's Information Technology department is actively engaged with both CHS and Mental Health and Recovery Services (MHRS) electronic health vendors to develop a systems interface for the purposes of data sharing between the two programs. Implementation of the interface is anticipated by December 2022.</p> <p>In addition, on December 24, 2020, the County of Orange launched its System of Care Data Integration System (SOCDIS) which integrated data points specific to care coordination between multiple County databases. Included among these data bases are the Cerner system used by BHS and TechCare used by CHS.</p>