



# County of Orange

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County Executive Office

July 26, 2016

Honorable Charles Margines  
Presiding Judge of the Superior Court of California  
700 Civic Center Drive West  
Santa Ana, CA 92701

Subject: Response to Grand Jury Report, "Sheriff's Temporary Detention/Holding Areas, Patrol Areas and Special Services"

Dear Judge Margines:

Per your request, and in accordance with Penal Code 933, please find the combined County of Orange response to the subject report as approved by the Board of Supervisors. The respondents are the Orange County Board of Supervisors and John Wayne Airport

If you have any questions, please contact Jessica Witt of the County Executive Office at 714-834-7250.

Sincerely,

Frank Kim  
County Executive Officer

Enclosure

cc: **FY 2015-16 Orange County Grand Jury Foreman**

Mark Denny, Chief Operating Officer, County Executive Office

Jessica Witt, Deputy Chief Operating Officer, County Executive Office

**ORANGE COUNTY BOARD OF SUPERVISORS**

**MINUTE ORDER**

**July 26, 2016**

Submitting Agency/Department: County Executive Office

Approve proposed response to FY 2015-16 Grand Jury Report "Sheriff's Temporary Detention/Holding Areas, Patrol Areas and Special Services." - All Districts

**The following is action taken by the Board of Supervisors:**

APPROVED AS RECOMMENDED  OTHER

**Unanimous**  (1) DO: Y (2) STEEL: Y (3) SPITZER: Y (4) NELSON: Y (5) BARTLETT: Y

*Vote Key: Y=Yes; N=No; A=Abstain; X=Excused; B.O.=Board Order*

**Documents accompanying this matter:**

- Resolution(s)
- Ordinances(s)
- Contract(s)

Item No. 37

Special Notes:

Copies sent to:

*CEO – Jessica Witt  
Superior Court  
Grand Jury*

7/29/16



I certify that the foregoing is a true and correct copy of the Minute Order adopted by the Board of Supervisors, Orange County, State of California.  
Robin Stieler, Clerk of the Board

By: \_\_\_\_\_

Deputy



AGENDA STAFF REPORT

Agenda Item 37

ASR Control 16-000929

MEETING DATE: 07/26/16
LEGAL ENTITY TAKING ACTION: Board of Supervisors
BOARD OF SUPERVISORS DISTRICT(S): All Districts
SUBMITTING AGENCY/DEPARTMENT: County Executive Office (Approved)
DEPARTMENT CONTACT PERSON(S): Mark Denny (714) 834-3028
Jessica Witt (714) 834-7250

SUBJECT: Sheriff's Temporary Detention and Holding Areas Grand Jury Report Response

Table with 3 columns: CEO CONCUR (Concur), COUNTY COUNSEL REVIEW (No Legal Objection), CLERK OF THE BOARD (Discussion, 3 Votes Board Majority)

Budgeted: N/A Current Year Cost: N/A Annual Cost: N/A

Staffing Impact: No # of Positions: Sole Source: N/A

Current Fiscal Year Revenue: N/A

Funding Source: N/A County Audit in last 3 years: No

Prior Board Action: N/A

RECOMMENDED ACTION(S):

- 1. Approve proposed response to FY 2015-16 Grand Jury Report entitled, "Sheriff's Temporary Detention/Holding Areas, Patrol Areas and Special Services."
2. Direct Clerk of the Board to forward this Agenda Staff Report with attachments to the Presiding Judge of the Superior Court and the FY 2015-16 Grand Jury no later than August 5, 2016.

SUMMARY:

Approval of proposed response to FY 2015-16 Grand Jury Report entitled, "Sheriff's Temporary Detention/Holding Areas, Patrol Areas and Special Services," will fulfill the County's required response to the Grand Jury.

BACKGROUND INFORMATION:

On May 13, 2016, the Orange County Grand Jury released a report entitled, "Sheriff's Temporary Detention/Holding Areas, Patrol Areas and Special Services." The report directed findings and recommendations to the Board of Supervisors and John Wayne Airport. Attachment B is the County's proposed response to the Grand Jury's findings and recommendations.

**FINANCIAL IMPACT:**

N/A

**STAFFING IMPACT:**

N/A

**REVIEWING AGENCIES:**

Orange County Sheriff's Department

**ATTACHMENT(S):**

Attachment A - Grand Jury Report

Attachment B - Proposed Grand Jury Response

Attachment C - Draft Transmittal Letter



Responses to Findings and Recommendations  
2015-16 Grand Jury Report:

*“Sheriff’s Temporary Detention/Holding Areas, Patrol Areas and Special Services”*

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**SUMMARY RESPONSE STATEMENT:**

On May 13, 2016, the Grand Jury released a report entitled: “Sheriff’s Temporary Detention/Holding Areas, Patrol Areas and Special Services.” This report directed responses to findings and recommendations to the Orange County Board of Supervisors and John Wayne Airport, which are included below.

**FINDINGS AND RESPONSES:**

**F.1. The pedestrian screening areas located at the entrances to the Central Justice Center are heavily used and become congested during high traffic times. Pedestrian crowding prevents the Sheriff’s Special Officers from having an adequate view of persons entering the facility.**

**Response:** Disagrees wholly with the finding.

The Orange County Sheriff’s Department adequately deploys Sheriff Special Officers at the entrances of the screening areas to visually inspect all visitors and court employees as they enter the screening areas. Additionally, a Sheriff Special Officer is stationed at the exterior of the front entrance of the Central Justice Center at peak hours. This position monitors pedestrian and vehicle traffic in front of the court. Sheriff Special Officers and Deputies have adequate viewing range of persons entering the Central Justice Center.

**F.2. The industrial/office grade partitions used in the Central Justice Center’s screening areas to channel the public entering and departing the facility do not provide ballistic protection for Sheriff’s Special Officers in the case of an active shooter emergency.**

**Response:** Agrees with the finding.

The Orange County Sheriff's Department and Court Facilities Manager have been and are currently working to identify ballistic barriers to adequately accommodate the individual floor plan design and provide additional protection for our staff at each of Justice Center's screening areas.

**F.3. There is no system for regulating or channeling the public in order to prevent crowding at the scanning stations. Sheriff's Special Officers must use verbal commands in order to maintain public order and organization.**

**Response:** Disagrees partially with the finding.

The screening areas in each Justice Center are strategically designed to promote security and to properly screen persons entering the secure area of the Justice Center. It is correct that at peak times the screening areas become crowded and staff properly use verbal commands to control both ingress and egress into the Justice Center. The Central Justice Center uses passive barriers to direct the flow of persons walking through the screening areas.

**F.4. None of the County jail or court facilities visited uses full body scanners to prevent the public from bringing non-metallic weapons, tools or other contraband into the facility.**

**Response:** Agrees with the finding.

**F.5. The current security/surveillance camera system on the exterior of the Harbor Justice Center is not adequate and until completion of on-going upgrades, does not provide for sufficient monitoring.**

**Response:** Disagrees wholly with the finding.

The Harbor Justice Center security/surveillance system upgrade was installed in the month of May 2016 to the exterior of the facility and provides adequate and sufficient monitoring.

**F.6.** The roll-up doors located at the Harbor Justice Center do not prevent some observation of inmates arriving and departing the court by the Sheriff's transportation vehicles.

**Response:** Agrees with the finding.

The replacement of the roll up gates with roll-up privacy gates has been added to the security project list. In addition, the bus bay area is currently under review due to the new fleet of OCSD buses which have larger dimensions. The increased size of the bus fleet may result in a redesign of the bus bay area which will include privacy gates.

**F.7.** The Command Center at John Wayne Airport uses outdated surveillance equipment.

**Response:** Disagrees wholly with the finding.

Providing a safe and secure environment for passengers and tenants is John Wayne Airport's top priority. The Airport's existing surveillance program consists of a variety of components, including Airport Police Services and Airport Operations personnel, modern computer hardware, radio communication equipment and a network of closed-circuit cameras located inside the Riley Terminal and throughout the Airport property. Information gathered by both human and technological sources are provided to and processed in the Airport's Command Center which is located in the Riley Terminal. While the cabinets and ergonomic layout design in the Command Center are not state-of-the-art, we disagree that our equipment is "outdated" because such a finding implies that the equipment is not meeting the Airport's current needs.

In fact, John Wayne Airport's overall safety and security program, including our Command Center and surveillance system, has passed operational tests conducted by the Transportation Security Administration. The Airport and its security partners are confident that the existing Command Center is capable of supporting JWA's goals of providing a safe and secure environment.

**F.8.** The K-9 office located at John Wayne Airport is in need of repair or replacement.

**Response:** Agrees with the finding.

**F.9.** The Harbor Patrol Marine Operations Bureau does not have waterproof dashboard or handheld video cameras for use at all three harbors in its patrol area.

**Response:** Disagrees wholly with the finding.

All primary vessels in the Sheriff's fleet are equipped with waterproof GoPro cameras. Additionally, each of the 3 stations has a digital camera capable of taking still photos and video for evidentiary purposes. Research is currently being conducted regarding the addition of body worn cameras.

**F.10.** Adequate long-range surveillance equipment is not available to Dana Point deputies performing harbormaster duties.

**Response:** Agrees with the finding.

Long-range surveillance equipment is not utilized due to the fact that it is not consistent with the current deployment model. It is not desirable to have Sheriff's deputies monitoring television screens rather than proactively patrolling.

**F. 11.** The outside parking/equipment staging area located at the Aliso Viejo Sheriff's Station provides inadequate protection along the rear of the enclosed area. No barrier exists to prevent unencumbered access onto Sheriff's property.

**Response:** Disagrees partially with the finding.

The Grand Jury report indicates that the rear of the Aliso Viejo Sheriff's Station is not separated "from public land by any type of wall or fencing." This comment is not entirely correct. Although there is no barrier adjacent to the sidewalk on Aliso Viejo Roadway and the embankment that slopes to the western portion of the property, there is a 480 foot long chain link fence that borders the entire rear of the parking lot separating the lot from the adjacent wooded area. The fencing has been in place since the facility opened in September of 1996.

To the knowledge of staff who have worked at the station over the last several years, there has never been a breach of the rear fencing. Deputies and staff are well aware of the unfenced slope and routinely scan the area whenever they are in the parking



lot. Additionally, the rear lot and fence line is monitored by surveillance cameras. The cameras are viewed by the 24/7 staff assigned to the station.

#### **RECOMMENDATIONS AND RESPONSES:**

**R.1.** The Orange County Sheriff should make best efforts to coordinate with the Court Facilities Manager no later than September 2017 to determine which space designation (County, Court, or Common) applies to points of ingress and egress at the county's courthouses to help determine fiscal responsibility for security/safety improvements. (F1, F2, F3, F4, F5)

**Response:** The recommendation has been implemented.

The Sheriff's Department has and continues to coordinate with the Court Facility manager with regard to security and safety improvements.

**R.2.** The Orange County Sheriff should make best efforts to coordinate with the Court Facilities Manager by January 2017 in order to develop a plan that includes objectives and funding options for providing a better system for channeling pedestrians at the points of entry for each court facility. (F3)

**Response:** The recommendation will not be implemented because it is not warranted.

The current screening areas in each Justice Center are sufficient and strategically designed to promote security and to properly screen persons entering the secure area of each Justice Center.

**R.3.** The Orange County Sheriff should make best efforts to coordinate with the Court Facilities Manager by January 2017 to develop a plan to replace existing industrial/office grade partitions at the courthouse entrances and screening stations with ballistic partitions. (F2)

**Response:** The recommendation has not yet been implemented but will be implemented in the future.

The Orange County Sheriff's Department and Court Facilities Manager have been and are currently working to identify ballistic barriers to adequately accommodate the individual floor plan design and provide additional protection for our staff at each of

Justice Center's screening areas. The project will be completed as funding becomes available.

**R.4.** The Orange County Sheriff should continue best efforts to coordinate with the Court Facilities Manager by January 2017 to support the current project to upgrade and expand the video surveillance system at the Harbor Justice Center. (F5)

**Response:** The recommendation has been implemented.

The Harbor Justice Center security/surveillance system upgrade was installed in the month of May 2016 to the exterior of the facility.

**R.5.** The Orange County Sheriff should make best efforts to coordinate with the Court Facilities Manager by January 2017 to plan for funding, procurement and installation of solid roll up doors at the inmate vehicle entrance to the Harbor Justice Center. (F6)

**Response:** The recommendation has not yet been implemented but will be implemented in the future.

The replacement of the roll up gates with roll-up privacy gates has been added to the security project list. Projects are completed as funding becomes available.

**R.6.** The Orange County Sheriff should continue working with John Wayne Airport management to develop a plan by September 2017 for the funding and replacement of outdated surveillance equipment at John Wayne Airport, to include placing a redundant offsite backup system. (F7)

**Response:** The recommendation has been implemented.

John Wayne Airport's FY 2016-17 budget includes funding for the first year of a multi-year project to renovate the Command Center and adjacent workspaces, replace surveillance equipment located in the Command Center, and establish a redundant offsite backup system. Pending budget approval by the Board of Supervisors, it is the Airport's intent to complete this project in FY 2017-18.

**R.7. The Orange County Sheriff should coordinate with the Airport Director for John Wayne Airport to develop a plan by September 2017 for the funding, and repair or replacement of the K-9 Staff Office at John Wayne Airport. (F8)**

**Response:** The recommendation has been implemented.

John Wayne Airport's FY 2016-17 budget includes a modest pool of funds for multiple identified projects, including the replacement of the K-9 Staff Office. The Airport has estimated that replacement of the existing office, which supports three teams (one deputy and one canine per team) would cost approximately \$150,000.

This project and associated expenditure must be weighed against other capital needs at the Airport. John Wayne Airport will continue to assess and prioritize among the multiple projects proposed for FY 2016-17. Should the K-9 Staff Office replacement not be selected for funding in FY 2016-17, John Wayne Airport commits to recommend the project for Board approval, in FY 2017-18.

John Wayne Airport met with the Sheriff Department's Airport Services team to discuss the proposed plan.

**R.8. The Orange County Sheriff should develop a plan by September 2017 to fund and equip Harbor Control watercraft with dashboard and handheld cameras contained in waterproof housings. (F9)**

**Response:** The recommendation will not be implemented because it is not warranted.

All primary vessels in the Sheriff's fleet are equipped with waterproof GoPro cameras. Additionally, each of the 3 stations has a digital camera capable of taking still photos and video for evidentiary purposes. Research is currently being conducted regarding the addition of body worn cameras.

**R.9. The Orange County Sheriff should develop a plan by September 2017 to fund and equip the harbormaster deputies with long-range surveillance equipment. (F10)**

**Response:** The recommendation will not be implemented because it is not warranted.

The Grand Jury report states, "In the event of a watercraft accident in the most congested area, the mouth of the harbor, deputies would have to go to the scene in order to determine what was occurring." The Harbor Patrol deployment design is intended to have deputies actively patrolling on the water much like uniformed patrol in contract cities. It is not desirable to have Deputy Sheriffs monitoring television screens rather than proactively patrolling.

**R.10.** The Orange County Sheriff should coordinate with the City of Aliso Viejo by January 2017 to develop a plan for the funding and construction of a wall or fence along the entire rear of the Aliso Viejo Sheriff's Station facility. (F11)

**Response:** The recommendation will not be implemented because it is not warranted.

The existing fencing at the Aliso Viejo Sheriff's Station facility is sufficient for the Sheriff's Department's security needs.

**R.11.** The Orange County Sheriff should develop a plan by January 2017 for the funding, purchase and installation of Full Body Scanners for each courthouse entrance. (F4)

**Response:** The recommendation will not be implemented because it is not warranted.

Security measures in place are sufficient at the entrance of each Justice Center. Each individual entering secure areas goes through a proper screening process.