



County of Orange

County Executive Office

August 24, 2017

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, "The Myth of the Orange County Jailhouse Informant Program"

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 Orange County Public Works.

If you have any questions, please contact Lilly Simmering of the County Executive Office at 714-834-6748.

Sincerely,

Frank Kim
County Executive Officer

Enclosure

cc: FY 2016-17 Orange County Grand Jury Foreman
Lilly Simmering, Deputy Chief Operating Officer, County Executive Office



County Executive Office

Memorandum

August 16, 2017

To: Clerk of the Board of Supervisors
From: Frank Kim, County Executive Officer
Subject: Exception to Rule 21



RECEIVED
2017 AUG 16 PM 4:15
CLERK OF THE BOARD
ORANGE COUNTY
BOARD OF SUPERVISORS

S55D

The County Executive Office is requesting a supplemental for the August 22, 2017, Board Hearing Meeting.

Agency: County Executive Office
Subject: Orange County Jailhouse Informant Grand Jury Response
Districts: All Districts

Reason for supplemental: The Supplemental ASR must be heard on August 22, 2017, to allow for the Grand Jury response to be filed on time. This Agenda Staff Report and attachments were finalized after the filing deadline to the Clerk of the Board.

Concur: 
Chairwoman Michelle Steel, Supervisor, Second District

cc: Board of Supervisors
County Executive Office
County Counsel



**SUPPLEMENTAL AGENDA ITEM
AGENDA STAFF REPORT**

MEETING DATE: 8/22/17
LEGAL ENTITY TAKING ACTION: Board of Supervisors
BOARD OF SUPERVISORS DISTRICT(S): All Districts
SUBMITTING AGENCY/DEPARTMENT: County Executive Office
DEPARTMENT HEAD REVIEW: [Signature]
Department Head Signature
DEPARTMENT CONTACT PERSON(S): Frank Kim (714) 834-6200
Lilly Simmering (714) 834-6748

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CLERK OF THE BOARD
ORANGE COUNTY
BOARD OF SUPERVISORS
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SUBJECT: Orange County Jailhouse Informant Grand Jury Response

CEO CONCUR

[Signature]
CEO Signature

COUNTY COUNSEL REVIEW

No legal objection.
Action
[Signature]
County Counsel Signature

CLERK OF THE BOARD

Discussion
3 Votes Board Majority

Budgeted: N/A

Current Year Cost: N/A

Annual Cost: N/A

Staffing Impact: N/A

of Positions:

Sole Source: N/A

Current Fiscal Year Revenue: N/A

Funding Source: N/A

County Audit in last 3 years: N/A

Prior Board Action: N/A

RECOMMENDED ACTION(S)

1. Approve proposed response to FY 2016-17 Grand Jury Report entitled, "The Myth of the Orange County Jailhouse Informant Program".
2. Direct the Clerk of the Board to forward this Agenda Staff Report with attachments to the Presiding Judge of the Superior Court and the FY 2016-17 Grand Jury no later than August 29, 2017.

SUMMARY:

Approval of proposed response to FY 2016-17 Grand Jury Report entitled, "The Myth of the Orange County Jailhouse Informant Program" will fulfill the County's required response to the Grand Jury.

BACKGROUND INFORMATION:

On June 13, 2017, the Orange County Grand Jury released a report entitled, "The Myth of the Orange County Jailhouse Informant Program". The report directed one finding and one recommendation to the Board of Supervisors. Attachment B is the County's proposed response to the Grand Jury's finding and recommendation.

FINANCIAL IMPACT:

N/A

STAFFING IMPACT:

N/A

ATTACHMENT(S):

Attachment A – Grand Jury Report

Attachment B – County of Orange Draft Response

Attachment C – Draft Transmittal Letter

Attachment D – URL Link to OC Sheriff's-Coroner and OC District Attorney's Responses



Responses to Findings and Recommendations
2016-17 Grand Jury Report:

“The Myth of the Orange County Jailhouse Informant Program”

SUMMARY RESPONSE STATEMENT:

On June 13, 2017, the Grand Jury released a report entitled: “The Myth of the Orange County Jailhouse Informant Program”. This report directed responses to one finding and one recommendation to the Orange County Board of Supervisors, which are included below.

FINDINGS AND RESPONSES:

F.9. Hiring an independent monitor to oversee work recommended by IPPEC and already completed by the OCDA is a waste of County money.

Response: **The respondent disagrees partially with the finding.** The Board of Supervisors agree that there is no longer a need to continue funding the independent monitor recommended by IPPEC; however, it does not discount the findings or recommendations made by IPPEC. The Board of Supervisors will continue to support OCDA and OCSD where necessary to ensure the integrity of the County of Orange’s public safety system.

RECOMMENDATIONS AND RESPONSES:

R.8. The Board of Supervisors should review and consider canceling, within the next 90 days, the OCDA independent monitor contract implemented on recommendations from the IPPEC and approved by the Board in August 2016.

Response: **The recommendation has not yet been implemented, but will be implemented in the future.** On June 27, 2017, Supervisor Spitzer brought Supplemental S78C before the Board of Supervisors to review and consider cancelling OCDA independent monitoring contract with Larson O’Brien, LLP, the firm hired to meet IPPEC’s recommendation to hire an independent monitor. The Board took no action on the item at the meeting. Instead it chose to wait on OCDA’s response to this Grand Jury Report. On August 14, 2017, OCDA filed its response.

The County, including the Board of Supervisors, will work with OCDA on next steps in addressing the contract and do so within 90 days from the day the County files its response.