



ORANGE COUNTY SHERIFF'S DEPARTMENT

SHERIFF-CORONER
SANDRA HUTCHENS

August 20, 2018

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

Subject: Response to Orange County Grand Jury 2017-2018 report, "Competition or Collaboration – Orange County's Public Agency Helicopters."

Dear Judge Margines:

In accordance with Penal Code sections 933 and 933.05, enclosed please find the response to the FY 2017-2018 Orange County Grand Jury report, "Competition or Collaboration – Orange County's Public Agency Helicopters." If you have any questions, please do not hesitate to contact my office.

Sincerely,

A handwritten signature in blue ink, appearing to read "S. Hutchens", written in a cursive style.

Sandra Hutchens
Sheriff-Coroner

cc: Grand Jury Foreperson
Members, Board of Supervisors
Frank Kim, County Executive Officer

Orange County Sheriff's Department
Response to Findings and Recommendations
2017-2018 Orange County Grand Jury Report
"Competition or Collaboration Orange County's Public Agency Helicopters"

FINDINGS

F.1

Operating fifteen public agency helicopters in a busy and compressed airspace necessitates close cooperation and communication.

Response: *Agrees with the finding.*

F.2

While responding to search and rescue events, Orange County Sheriff's Department and Orange County Fire Authority helicopters have flown too close to each other without adequate communication or coordination, which behavior could result in flight safety issues.

Response: *Agrees with the finding.*

F.3

Some air crew members and management personnel of the Orange County Fire Authority and Orange County law enforcement air support units have expressed serious concerns regarding each other's flight safety and aerial rescue operations.

Response: *Agrees with the finding.*

F.4

The Orange County Sheriff's Department has sufficient staffing, equipment, and training to implement the Board of Supervisors' resolution that the Sheriff should be the lead agency for remote/off-road search and rescues.

Response: *Agrees with the finding.*

F.5

Orange County public agencies have substantially more helicopters per square mile than any county in southern California, which provides opportunity for further cost benefit analysis.

Response: *Partially disagrees with the finding.*

This finding does not take into account the population density of Orange County. While the County is small geographically, it is one of the nation's most populous.

F.6

Sheriff's helicopters and pilots with fire department paramedics onboard are used in many other California counties, including San Bernardino, San Diego, and Santa Barbara and have proven to be an effective combination.

Response: *Agrees with the finding.*

F.7.

Orange County's public aviation units lack inter-agency coordination, inhibiting efficient and cost-effective resource utilization.

Response: *Disagrees with the finding.*

The Orange County Sheriff's Department communicates and collaborates with all public agencies that operate aviation units.

F.8.

Orange County Sheriff's Department does not have mid- to senior-level leadership with prior pilot experience who can provide appropriate oversight for flight operations and help resolve interagency issues.

Response: *Disagrees with the finding.*

While the Orange County Sheriff's Department does not have mid or senior-level leadership with pilot experience, the leadership who oversee the aviation unit have exceptional experience in managing public safety functions. The leadership provides sufficient oversight and is capable of resolving any interagency issues that arise.

F.10.

Orange County air support units could benefit from co-locating at Fullerton Airport where they can leverage existing facilities.

Response: *Disagrees with the finding.*

Fullerton Airport is not an ideal location for responding to the Orange County Sheriff's Department's primary service area. OCSD has done an evaluation and assessment of the site and determined that Fullerton Airport is not a preferred location.

F.11.

Several nearby counties have gained efficiencies by successfully consolidating their sheriffs' and fire agencies' air support units into one organization within each county.

Response: *Agrees with the finding.*

RECOMMENDATIONS:

R.1

By October 1, 2018, the Board of Supervisors, in coordination with the affected agencies, should consider forming and implementing an Orange County air operations safety council under the direction of the Board of Supervisors. (F1, F2, F3, F7, F8, F9)

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

The Sheriff and OCFA have responsibility for public safety functions in their areas of responsibility as defined by statute.

R.2.

By September 1, 2018, the Orange County Sheriff's Department should implement the Board of Supervisors' resolution identifying OCSD as the lead agency for wilderness, remote/off-road Search and Rescue and work with OCFA to establish procedures for communications while either party is providing assistance or backup. (F1, F2, F3, F4, F8)

Response: *The recommendation has been implemented.*

The Orange County Sheriff's Department (OCSD) has been serving as the lead agency for "remote/off-road" Search and Rescue. OCSD has successfully worked with OCFA to establish procedures for communication.

R.3.

By September 1, 2018, Orange County Fire Authority management should develop and present its board with proposed procedures for how to work cooperatively with Orange County Sheriff's Department as OCSD implements the Board of Supervisors' resolution identifying OCSD as the lead agency for wilderness, remote/off-road Search and Rescue and work with OCSD to establish procedures for communications while either party is providing assistance or backup. (F1, F2, F3, F4, F9)

Response: *The respondent defers to OCFA for this response.*

The Orange County Sheriff's Department has successfully worked with OCFA to establish procedures for communication. It is not appropriate for OSCD to respond to the portion of the recommendation that concerns a presentation to the OCFA Board of Directors.

R.4.

By January 15, 2019, the Orange County Fire Authority in collaboration with the Orange County Sheriff's Department should identify and implement methods for its paramedics to operate jointly with the Orange County Sheriff's Department Air Support Unit in its search and rescue operations to the maximum extent practical. (F3, F6, F11).

Response: *The recommendation requires further analysis.*

Consideration of this recommendation will require collective discussion by both agencies.

R.5.

By December 15, 2018, the Orange County Sheriff's Department and the Orange County Fire Authority should evaluate potential costs and operational benefits of co-locating their air units at the Fullerton Airport. The Orange County Sheriff's Department should plan on presenting this evaluation to the Board of Supervisors and publicly post. The Orange County Fire Authority should prepare and present this evaluation to their board and publicly post it. (F1, F2, F3, F7, F10, F11)

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

Fullerton Airport is not an ideal location for responding to the Orange County Sheriff's Department's primary service area.

R.6.

By January 15, 2019, the Board of Supervisors, in coordination with the affected agencies, should consider a plan for a centralized approach to public agency air support including co-locating and eventually consolidating the various Orange County city and county aerial support units. (F1, F2, F3, F5, F6, F7, F8, F9, F10, F11)

Response: *The recommendation requires further analysis.*

Consideration of this recommendation will require collective discussion by both agencies, as well as discussions with municipal police agencies' helicopter units.

R.7.

By January 15, 2019, Orange County Sheriff's Department, Orange County Fire Authority and the cities of Huntington Beach and Anaheim air support units should consider the

benefits of a leadership plan that brings a manager with pilot experience into positions above the unit level. (F1, F2, F3, F7, F8, F9, F10)

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

In selecting a leader/manager for a public safety division with an aviation function, pilot experience is secondary to law enforcement management experience.