



County of Orange

County Executive Office

August 8, 2023

Honorable Maria D. Hernandez
Presiding Judge of the Superior Court of California
700 Civic Center Drive West
Santa Ana, CA 92701

Subject: "Gimme Shelter and a Pound of Advice" Grand Jury Response

Dear Judge Hernandez:

Per your request, and in accordance with Penal Code 933, please find the 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 the County Executive Office.

If you have any questions, please contact Liz Guillen-Merchant of the County Executive Office at 714-834-6836.

Sincerely,

A handwritten signature in black ink, appearing to read "Frank Kim", is written over a faint circular stamp.

Frank Kim
County Executive Officer

Digitally signed by Frank Kim
DN: cn=Frank Kim, o=County
of Orange, ou=CEO,
email=frank.kim@ocgov.com,
c=US
Date: 2023.08.10 14:12:24
-07'00'

Enclosures

cc: Orange County Grand Jury
Lilly Simmering, Deputy County Executive Officer
Liz Guillen-Merchant, Director, Performance Management and Policy



Responses to Findings and Recommendations 2022-23

Grand Jury Report:

"Gimme Shelter and a Pound of Advice."

FINDINGS AND RESPONSES:

- F1. Management has limited flexibility utilizing personnel within Orange County Animal Care across departments due to structured work rules, volunteer work restrictions, and employees working in departmental silos.**

Response: Disagrees partially with the finding.

Orange County Animal Care (OCAC) follows all County, state and federal workplace regulations to provide a safe and discrimination free work environment. Abiding by working classification requirements in accordance with state labor laws and union contracts is not unique to OCAC and is required in all County departments. While the County of Orange utilizes Classification Specifications for its positions, they are intended to capture general duties and responsibilities performed that distinguish a given classification from others and is not intended to specifically identify every duty performed by an employee. The classification specifications also outline the minimum qualifications required for each classification. As such, certain job duties/tasks are limited based on knowledge, skills, abilities, education, and certification.

- F2. Low staff morale exists within Orange County Animal Care.**

Response: Disagrees wholly with the finding.

OCAC monitors morale closely. Although staff is affected by external factors including protests, social media campaigns and organized efforts to destabilize OCAC, ironically staff morale is generally steady. Employee engagement activities are ongoing and proactive steps are being taken to safeguard staff and promote team cohesion.

- F3. Orange County Animal Care staffing is negatively impacted by vacant positions remaining unfilled for greater than six months due to burdensome hiring processes. This delay in recruitment and completion of hiring has resulted in qualified candidates declining job offers.**

Response: Disagrees Partially with the finding.

The COVID-19 State of Emergency in California did not end until February 23, 2023. Throughout this time, OCAC suspended volunteer recruitment and selectively used volunteers as able given safety restrictions. The restart of the program has been careful and measured in light of COVID public health restrictions but in the last year has hosted monthly volunteer trainings to recruit and train new recruits.

- F7. Orange County Animal Care's Behavior Evaluation Committee evaluates dogs for euthanasia without written guidelines, policies, or procedures, resulting in inconsistent outcomes over time. Behavior evaluated euthanasia outcomes are dependent on the experience and personal considerations of the individual committee members and management rather than written objective standards.**

Response: Disagrees partially with the finding.

It is inaccurate to suggest that the OCAC Behavior Evaluation Committee (BEC) operates without structure or consistency. The OCAC BEC evaluates dogs per euthanasia guidelines to ensure consistency in the decision evaluation process. Behavior evaluated outcomes are dependent on each individual animal and, since OCAC cannot directly control its intake, the percentage of outcome results vary based on the condition and the circumstances surrounding the animal being evaluated rather than a consistent pattern over time. The County does agree, however, that the experience and training of the individuals on the BEC is critical to an accurate and well-rounded evaluation of the animal, and the BEC positions are structured to provide experience and knowledge across all areas of the shelter that interact with the animals.

- F8. The rate of behavioral euthanasia of dogs has increased significantly over the last 2 years.**

Response: Disagrees partially with the finding.

The increase can be correlated to the significant increase in the population of unsocialized dogs with behavior/aggression issues that have been abandoned or surrendered by their owners in the last two years in the wake of the pandemic. This tragic trend is occurring across the region, state and nation. Although data from the report indicates dog behavior related euthanasia increased, the OCAC dog save rate has remained stable over the past 2 years and well above the 90% called out in the Strategic Plan. Euthanasia is driven by the type and condition of animals that come into the shelter. OCAC cannot directly control the types of animals needing intake and in fact has focused specifically on prioritizing sick, injured, aggressive, and stray intake.

- F9. Orange County Animal Care does not employ a professional or trained and certified animal behaviorist to oversee the shelter's dog enrichment program, resulting in dogs with declining behavior being placed at greater risk of being euthanized.**

Response: Disagrees wholly with the finding.

Response: Disagrees wholly with the finding.

The adoption model has restricted unescorted access, but all adoptable animals have always been accessible to the public through online viewing and in-person visits. Furthermore, in 2022, OCAC provided 10,457 adoption visits for an average of nearly 30 visits per day. There is consistently an average of 58 appointments available per day for public access clearly demonstrating the shelter has not met its threshold for adoption visit availability and is currently able to meet the needs of the Community. OCAC uses industry best practices and continues to find ways to serve the public and our animals such as a pilot project that is under development for kennel viewing later this summer.

F14. Orange County Animal Care's engagement with some animal rescue partners is negatively impacted due to differences of opinion in appropriate animal care policy.

Response: Respondent agrees with the finding.

OCAC is a large scale, municipal shelter tasked with balancing public safety and animal welfare. As a way-station for animals, OCAC seeks positive placements for animals in its care when appropriate to do so by, in part, partnering with over 250 sister shelters, rescue partners and networkers. While interested in input and collaboration, animal care at OCAC cannot be tailored to or directed by individual personal opinions. In this highly charged industry, it is not unusual for there to be differences of opinion, but OCAC is guided by state laws and regulations and its Strategic Plan.

F15. Internal and community engagement does not adequately communicate the shelter's mission and operating strategy.

Response: Disagrees wholly with the finding.

OCAC hired a full-time Public Information Officer in October 2022 to focus on external communication; prior to October 2022, this position did not exist but instead held other responsibilities as well. This is an example of OCAC's prioritization of external communication to the public. OCAC's goal is to participate in at least 200 community events in 2023, whether it be adoption events or public outreach. Despite consistent messaging to stakeholders and focused attention on program communication, OCAC cannot control print news coverage and social media efforts designed to incite controversy.

F16. The information currently on the Orange County Animal Care website for low- cost spay/neuter is not up to date with regard to referrals and prices for spay/neuter procedures.

Response: Disagrees wholly with the finding.

consistent support and tracking of recruitments. Review of the recruitment process is ongoing and OCHRS, OCCR and OCAC are working collaboratively toward achieving and maintaining full staffing levels. Staff at OCAC's are the program's most valuable resource.

Additionally, there is a current Human Resource Services County work group tasked with updating existing recruitment strategies related to all County recruitments with the goal of increasing timeliness and streamlining processes. Strategies are being implemented as they are developed.

- R3. By October 1, 2023, OC Community Resources and Orange County Animal Care should review their current staffing allocations of Animal Care Attendants to reflect NACA guidelines and to provide appropriate staffing allocations for animal care, feeding and enrichment. (F3, F4)**

Response: The recommendation requires further analysis.

Review of staffing allocations is ongoing and OCHRS, OCCR and OCAC are working collaboratively toward achieving and maintaining full staffing levels. Staff at OCAC are the program's most valuable resource. When full staffing is achieved, the staffing model will be analyzed over a six-month period and allocations will be reviewed by OCHRS in line with industry recommendations.

- R4. By October 1, 2023, OC Community Resources and Orange County Animal Care should review their current staffing allocations of all positions within the OCAC and reallocate resources to increase Animal Care Attendants to reflect NACA guidelines to provide appropriate staffing for animal care, feeding, and enrichment. (F3, F4)**

Response: The recommendation requires further analysis.

Review of staffing allocations is ongoing and OCHRS, OCCR and OCAC are working collaboratively toward achieving and maintaining full staffing levels. Staff at OCAC's are the program's most valuable resource. When full staffing is achieved, the staffing model will be analyzed over a six-month period and allocations will be reviewed by OCHRS.

- R5. By December 31, 2023, Orange County Animal Care management should review and update policies, procedures, guidelines, and practices to assure they are accurate and reflect current operating practices. (F5)**

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

The County will be contracting with an independent consultant to focus concentrated efforts on review and update of policies, procedures, guidelines and practices. Although paused during the COVID-19 lockdown and post-lock down due to staffing shortages, review and update of policies, procedures, guidelines and practices have resumed. Included in the contracted scope will be identification of

A single OCAC position is not responsible for evaluation of the animals triaged through the shelter and placed in their best and most appropriate placement. Every OCAC staff member who interacts with animals is recruited with minimum qualifications that require animal experience and handling expertise. Additionally, staff participate in ongoing trainings such as Fear Free Sheltering, bite prevention, safe aggressive animal handling. OCAC's model is reliant on expertise in every section (intake, medical, kenneling, fostering, rescue and placement) to ensure that the animals find their best outcomes and that the shelter maintains its commitment to the save rates as called out in OCAC's Strategic Plan. Furthermore, as a high-volume municipal animal shelter OCAC does not train aggressive dogs to increase their adoptability. OCAC's responsibility is to accurately evaluate animals and to move them as quickly as possible out of the shelter and on to the best placement given their circumstance. It should be noted that the dog save rate for OCAC is 94 percent, well above the rate called out in the OCAC Strategic Plan.

- R10. By December 31, 2023, the Orange County Board of Supervisors and Orange County Animal Care management should request that County Counsel reconsider its opinion about the shelter's former Trap, Neuter, and Return program, or seek an independent second opinion to County Counsel's opinion, to ascertain whether the program can be re-established, or a modified version of the program can be implemented. (F10, F11)**

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

The Office of County Counsel is prohibited from responding to the Grand Jury's findings and recommendations due to the attorney-client privilege.

- R11. By July 1, 2024, Orange County Animal Care should implement a low-cost public spay/neuter program. (F12)**

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

Members of the public have requested free spay/neuter services of privately owned pets, but shelter resources and city funding are scoped to only support shelter animals. OCAC currently partners with HEART, www.heart4pets.org, for monthly, mobile low cost spay and neuter services at the County shelter. In addition, Cities are able to contract for additional services as needed or desired.

- R12. By October 1, 2023, Orange County Animal Care management should hold all- hands staff meetings at least every quarter. (F1, F2)**

Response: The recommendation has been implemented.

OCAC renewed its All-hands Meetings on 6/20/23 and the upcoming meetings are scheduled at quarterly intervals.

OCAC values the role that non-profit rescue organizations play as they are uniquely designed to focus time and resources on specific animals with medical or behavioral conditions that require more intensive care or attention than a municipal shelter can provide. Rescue organizations are integrated into daily operations via the shelter web-based tool, Rescue Track which is a daily communicator regarding the animals that require specialized care and their condition, prognosis, and projected outcome without intervention. Communication with rescue organizations is maintained by the OCAC rescue team and will be enhanced by continuing to communicate daily about animals in need, offering one-on-one walk-throughs to meet individual animals in need of rescue placement, and continuing Rescue Roundtable meetings.

It should not go without notice however that compassion fatigue is a critical issue in the animal care community, and that it impacts OCAC employees, volunteers, and representatives of rescue organizations equally. Each animal is unique, has their own story and is evaluated based on their specific condition. That being said, OCAC's responsibility as a municipal shelter is to provide for animal welfare as well as community safety. Difficult decisions regarding euthanasia can, and do, create unavoidable stress between various stakeholders and shelter staff, as all parties strive to find positive and humane outcomes for the animals in OCAC's care.

R16. By October 1, 2023, Orange County Animal Care should schedule quarterly meetings with community stakeholders to facilitate transparency and engagement. (F14, F15)

Response: The recommendation has been implemented.

OCAC holds regular quarterly meeting of the Community Outreach Committee, which is an advisory committee to the Orange County Board of Supervisors, in addition to quarterly Rescue Roundtable meetings and Volunteer Roundtable meetings.

R17. By October 1, 2023, Orange County Animal Care management should update the information currently on its website for low-cost spay/neuter of feral cats with regard to referrals and prices for spay/neuter procedures. (F16)

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

Prices have never been posted on the OCAC website as they are set by independent practices and are outside the purview of OCAC. The low cost spay/neuter information posted on the OCAC website is supplied solely for informational purposes, and OCAC has no responsibility or obligation to provide this content. The website is updated annually for the community's benefit, but it should be noted that the information is subject to change at any time as local, privately owned clinics routinely update services and hours.



OC Animal Care



2022

POSITIVE PLACEMENT

Through the adoption model, partnerships in the community, robust foster and rescue programs, programs like Pooches on the Patio, and dedicated staff and volunteers, OC Animal Care found positive placement for over 8,400 dogs and cats that entered our shelter in 2022.

2022 SAVE RATES FOR DOGS & CATS



94.18%
dog save rate



73.64%
cat save rate



The save rate includes a variety of positive placement including adoptions, return to owners, and transfers to sister shelters or rescue agencies.



Positive placement includes all live outcomes and are reported in the annual statistics.

OF THE
82.07%
OF DOGS & CATS
THAT WERE
POSITIVELY PLACE



46.57% OF DOGS & CATS WERE ADOPTED

The 10-year average adoption rate for OC Animal Care is ~35.2%.

19.83% OF DOGS & CATS WERE TRANSFERRED

15.67% OF DOGS & CATS WERE REUNITED WITH OWNERS



On average, about 19 out of every 20 dogs that enter OC Animal Care find a positive outcome.



The percentage of placement is found by dividing the number of outcomes by the number of total live outcomes plus other outcomes.

To view the complete shelter statistics over the last ten years, visit
www.ocpetinfo.com/about-us/shelter-statistics.

ORANGE COUNTY BOARD OF SUPERVISORS
MINUTE ORDER
August 08, 2023

Submitting Agency/Department: County Executive Office

Approve proposed response to FY 2022-23 Grand Jury Report "Gimme Shelter and a Pound of Advice." - All Districts

The following is action taken by the Board of Supervisors:

APPROVED AS RECOMMENDED ☒ OTHER ☐

Unanimous ☐ (1) DO: Y (2) SARMIENTO: N (3) WAGNER: Y (4) CHAFFEE: Y (5) FOLEY: N

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. 28

Special Notes:

Copies sent to:

CEO – Liz Guillen-Merchant
Superior Court
Grand Jury

8/11/23



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

28

ASR Control 23-000657

RECEIVED
CLERK OF THE BOARD

JUL 24 2023

MEETING DATE: 08/08/23
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): Dylan Wright (714) 338-9521
Liz Guillen-Merchant (714) 834-6836

SUBJECT: "Gimme Shelter and a Pound of Advice " Grand Jury Response

23FY

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

Levine Act Review Completed: N/A

Prior Board Action: N/A

RECOMMENDED ACTION(S):

1. Approve proposed response to FY 2022-23 Grand Jury Report entitled "Gimme Shelter and a Pound of Advice."
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 2022-23 Grand Jury no later than September 5, 2023.

SUMMARY:

Approval of proposed response to FY 2022-23 Grand Jury Report entitled "Gimme Shelter and a Pound of Advice" will fulfill the County's required response to the Grand Jury.

BACKGROUND INFORMATION:

On June 7, 2023, the Orange County Grand Jury released a report entitled "Gimme Shelter and a Pound of Advice". The report directed responses to findings and recommendations to the Board of Supervisors. Attachment B is the County's proposed response to the Grand Jury.