



August 16, 2023

The Honorable Maria Hernandez
Presiding Judge of the Orange County Superior Court
700 Civic Center Drive West
Santa Ana, CA 92701

Mayor
Doug Cirbo

Mayor Pro Tem
Mark Tetterer

Council Members
Robert Pequeño
Scott Voigts
Benjamin Yu

City Manager
Debra DeBruhl Rose

Re: California Penal Code Section 933 Response to the Orange County Grand Jury Report,
“Gimme Shelter and a Pound of Advice”

Dear Judge Hernandez,

The City of Lake Forest has reviewed the Orange County Grand Jury Report entitled, “Gimme Shelter and a Pound of Advice.” The Lake Forest City Council reviewed and adopted the following responses to the findings and recommendations included within the report at its August 15, 2023, City Council Meeting. The original Grand Jury findings are repeated below in italics. The City’s responses are in bold, with additional explanation and commentary in regular typeface. References to the “City” or the “respondent” refer to the City of Lake Forest.

F4 Based upon industry standards and best practices, Orange County Animal Care kennel attendants are understaffed to meet the needs of animals under care.

The respondent disagrees partially with the finding.

The City is not privy to OCAC’s precise staffing levels, nor does it have knowledge sufficient to opine whether those staffing levels are objectively adequate, or the standard for concluding whether animal needs are adequately “met” under OCAC’s care. The City notes the County of Orange’s (“County”) statement that Orange County Animal Care (“OCAC”) is working to fill vacancies.

F6 The Orange County Animal Care Volunteer program was stopped during COVID-19 and restarting the program has been slow, resulting in decreased animal socialization and enrichment.

The respondent agrees partially with the finding.

The City acknowledges certain volunteer programs were restricted during the COVID-19 pandemic. However, the City does not know what constitutes “slow” or what level of animal socialization and enrichment is sufficient to say it has not “decreased” as those

terms are used in this finding. The City encourages the County to continue volunteer recruitment and training.

- 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.*

The respondent disagrees partially with the finding.

The City's contract with OCAC requires OCAC to operate pursuant to all governmental laws and regulations that apply to animal care services. However, the City is not privy to the OCAC Behavior Evaluation Committee's deliberations and therefore cannot opine as to whether the Committee is operating as described in the Grand Jury's report.

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

The respondent agrees partially with the finding.

In 2022, one (1) City of Lake Forest adult dog was euthanized by OCAC, resulting in a 98.88% Asilomar Live Release Rate/Percentage. From January-June 2023, three (3) City of Lake Forest adult dogs were euthanized due to behavior (according to OCAC, all had a history of bites against humans, and two met the legal definition of "vicious"). This results in an 89.29% Asilomar Live Release Rate/Percentage. The City's statistics show a notable increase by percentage for the first six months of 2023. The City also notes the OCAC dog save rate has remained stable over the past 2 years and well above the 90% called out in the OCAC Strategic Plan.

- 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.*

The respondent disagrees partially with the finding.

The City lacks information regarding "declining behavior" and the impact of an animal behaviorist sufficient to reach this conclusion.

- F10 *While many county and city animal shelters throughout the state have active Trap, Neuter, and Return programs, Orange County Animal Care stopped its Trap, Neuter, and Return program, reportedly on the basis of the County Counsel's legal opinion that the program violates a California statute related to willful animal abandonment.*

The respondent disagrees partially with the finding.

The City has not independently assessed the prevalence of trap, neuter, return (“TNR”) programs throughout the State. However, City staff was informed by OCAC that the program was discontinued due to a legal opinion by County Counsel.

- F11 The termination of the Trap, Neuter, and Return program is correlated with an increase in adult cat euthanasia rate at the shelter.*

The respondent agrees with the finding.

The City of Lake Forest Animal Control Services Study 2006-07 noted that 140 cats from Lake Forest were euthanized between July 2006 and June 2007, totaling 61% of Lake Forest cat outcomes. While the live release rate for cats in 2022 was 92.96%, the City of Lake Forest remains supportive of OCAC reinstating the Trap, Neuter, and Return program.

- F12 There have been public concerns and requests expressed over the years for public programs to include a spay/neuter program by Orange County Animal Care.*

The respondent disagrees partially with the finding.

The City is not independently aware of the requests for a spay/neuter program received by OCAC. However, the City is supportive of the County providing such a program. Since 2008, the City has sponsored the Lake Forest Responsible Pet Ownership Program which provides a \$50 stipend toward the cost of spaying or neutering a pet.

- F13 The current adoption appointment system restricts public access to the dog kennels, thereby limiting potential adopters' access to all available animals.*

The respondent agrees with the finding.

The answer is inherent in the question. The question assumes that fewer individuals have on-demand access to animals for adoption because an appointment system is employed, as opposed to some other system. The City is pleased to see that OCAC has allowed access to some kennel areas two days per week and encourages OCAC to offer more public access.

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

The respondent disagrees partially with the finding.

The City lacks information sufficient to reach this conclusion. The City also notes that in the 2023 Community Satisfaction Survey prepared by True North Research for the City of Lake Forest, 86% of residents were satisfied with efforts to provide animal control services.

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.

The respondent disagrees partially with the finding.

A cursory review by City staff of the OCAC website did not reveal reference to low-cost spay/neuter services provided by third parties and associated prices.

RESPONSES TO RECOMMENDATIONS

R6 By June 30, 2024, the Board of Supervisors should evaluate the strategic option of creating a Joint Powers Authority for the County and fourteen contract Cities to take ownership and shared responsibility for the financial and operating policies and practices of OCAC. (F1 thru F16)

The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.

This is a policy choice left to the County Board of Supervisors over which the Grand Jury and the City do not exert control.

If you have any questions regarding this response, I can be reached at (949) 461-3414.

Respectfully,
City of Lake Forest



Debra Rose
City Manager

DR:pjw