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August 25, 2023

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

RE: City of San Juan Capistrano Response to Orange County Grand Jury Report Entitled “Gimme Shelter and a Pound of Advice, The State of Animal Welfare Overseen by the County of Orange”

Dear Honorable Judge Hernandez:

Please accept this letter as the City of San Juan Capistrano’s response to the applicable findings and recommendations in the Grand Jury’s report entitled “Gimme Shelter and a Pound of Advice, The State of Animal Welfare Overseen by the County of Orange.” The City was requested to respond to Findings F4, F6 through F13, F15 and F16, and Recommendation R6. Each of the findings and recommendations is listed below in italics, followed by the City’s response.

FINDINGS

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

City Response: Based on the information provided in the report, the City of San Juan Capistrano partially disagrees with the finding. The City contracts with the County to provide Animal Control Services, Animal Care Services, Animal Care Shelter Services and Barking Dog Complaint Services. Given the City does not directly operate the shelter, the City is unable to adequately comment on this finding. The City defers to OCAC as the appropriate respondent.

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.

City Response: Based on the information provided in the report, the City of San Juan Capistrano partially agrees 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 they have “decreased,” as those terms are relative.

F7: Orange County Animal Care’s Behavior Evaluation Committee evaluates dogs for euthanasia without written guidelines, 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.

City Response: Based on the information provided in the report, the City of San Juan Capistrano partially disagrees 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 does not directly participate in the OCAC Behavior Evaluation Committee's deliberations.

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

City Response: Based on the information provided in the report, the City of San Juan Capistrano partially agrees with the finding. The City recognizes the results listed in Figure 3 illustrate an average increase of 3.41% of behavior-related euthanized dogs beginning in the third quarter of 2021 through the third quarter of 2022. However, the City has not independently verified the findings nor has the expertise to determine whether the increase can be described as significant.

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 declining behavior being placed at greater risk of being euthanized.

City Response: Based on the information provided in the report, the City of San Juan Capistrano partially disagrees 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.

City Response: Based on the information provided in the report, the City of San Juan Capistrano partially agrees with the finding. The City has not independently assessed the prevalence of trap, neuter, return (TNR) programs throughout the State.

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

City Response: Based on the information provided in the report, the City of San Juan Capistrano disagrees with the finding. The City does not have the knowledge or data on the termination of Trap, Neuter, and Return programs being correlated with an increase in adult cat euthanasia. Euthanasia is driven by the type and condition of animals needing intake by OCAC. Therefore, the City cannot independently determine the conclusion of this finding.

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.

City Response: Based on the information provided in the report, the City of San Juan Capistrano partially disagrees with the finding. The City is not independently aware of the requests for a spay/neuter program by OCAC.

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

City Response: Based on the information provided in the report, the City of San Juan Capistrano partially disagrees with the finding. The City does not have the data related to OCAC's adoption appointment system resulting in a restriction to available animals at OCAC. Therefore, the City cannot independently verify the finding. While the OCAC adoption model does not allow unescorted access, all adoptable animals are accessible to the public through online viewing and by appointment in-person visits.

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

City Response: Based on the information provided in the report, the City of San Juan Capistrano disagrees with the finding. At various times over the last year, the City has seen OCAC facility updates, data sharing, and pet adoption information being broadly disseminated to the community.

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.

City Response: Based on the information provided in the report, the City of San Juan Capistrano partially disagrees with the finding. The City does not determine spay/neuter prices and/or any third-party referrals for spay/neuter procedures. However, City staff reviewed OCAC's website and found reference to low-cost spay/neuter services for cats provided by a third party with pricing.

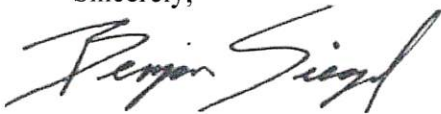
RECOMMENDATIONS

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.

City Response: The City of San Juan Capistrano will not implement this recommendation as the operations of the Orange County Board of Supervisors are outside the City's jurisdiction and authority.

Thank you for the opportunity to respond to the Grand Jury report. If you have any questions, please feel free to contact me at (949) 443-6314.

Sincerely,



Benjamin Siegel
City Manager

cc: Orange County Grand Jury, 700 Civic Center Drive West, Santa Ana, CA 92701
San Juan Capistrano City Council