



CONTRA COSTA COUNTY OFFICE OF THE SHERIFF  
DAVID O. LIVINGSTON  
SHERIFF - CORONER

July 11, 2017

Jim Mellander, Foreperson  
2016-2017 Contra Costa County Civil Grand Jury  
725 Court Street  
P.O. Box 431  
Martinez, CA 94553

VIA EMAIL AND US MAIL

Dear Mr. Mellander:

I received your letter dated May 22, 2017 requesting the Office of the Sheriff to respond to the Grand Jury Report No. 1702, "Emergency Mass Care and Shelter", by the 2016-2017 Contra Costa Grand Jury.

As requested, please find the attached response.

Should there be any remaining issues not addressed by my response, please feel free to contact Undersheriff Michael Casten at 925-335-1512 or [mcast@so.cccounty.us](mailto:mcast@so.cccounty.us).

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Livingston", written over a large, stylized initial "D".

**DAVID O. LIVINGSTON**  
Sheriff - Coroner

DOL:sl

Enclosure

## Emergency Mass Care and Shelter

### CCCSO Response

#### Findings:

**F1. The Bay Area Earthquake Plan of July 6, 2016, establishes operational planning and preparation criteria for each Bay Area County.**

**Agree.** It is important to note this Bay Area Earthquake Plan outlines high level strategies, it does not discuss operational outcomes or execution strategies that typical plans encompass. It is a document to enhance planning efforts and is not a response plan.

**F2. The Sheriff OES is charged with planning and coordinating the County's response to disaster.**

**Agree.**

**F3. Sheriff OES Catastrophic Mass Care and Shelter Plan and other earthquake operational planning and preparation plans, dated 2010, do not meet the 2016 Bay Area Earthquake Plan requirements.**

**Partially Agree.** The Bay Area Earthquake Plan does not outline requirements for local Operational Areas to meet. The 2010 Contra Costa plan is not consistent with the current Bay Area Earthquake Plan as it was written to link to a previous plan that was a response specific operations plan. This plan outlined suggested responses to a specific disaster scenario. The current Bay Area Earthquake Plan referred by the Grand Jury is a multi-faceted and high-level framework and is not response oriented.

Further it is important to understand that under the California Emergency Services Act:

- The cities in the Contra Costa Operational Area are responsible for the care and sheltering of their residents.
- Contra Costa County is responsible for local care and sheltering of residents in unincorporated areas of the Operational Area.
- The Contra Costa County Employment and Human Services Department is the lead local agency for these activities.

This Grand Jury report does not discuss any of the above responsibilities as it relates to incorporated cities shelter planning. The assumption is this discussion is related to unincorporated jurisdiction shelter planning.

**F4. EHSD is responsible for executing the Mass Care and Shelter Plan and coordinating with the American Red Cross to operation emergency shelters.**

**Agree.**

**F5. EHSD 2016 Emergency Management Plan differs from the Sheriff OES 2010 Mass Care and Shelter Plan.**

**Agree.** The 2010 Mass Care and Shelter Plan was written as an earthquake scenario specific plan that is a high-level framework for how the EOC should approach care and shelter issues, not how to set up and

run shelters. The EHSD Emergency Management Plan is not scenario specific and details EHSD's response to a variety of emergencies they may face including but not limited to shelter operations. The EHSD plan is formatted as an employee handbook and includes position specific checklists and information on how each EHSD department will respond to emergencies.

**F6. EHSD 2016 Emergency Management Plan does not meet the 2016 Bay Area Earthquake Plan Requirements.**

**Does not apply to the Office of the Sheriff.**

**F7. EHSD does not have the resources to continually work with the Sheriff OES to coordinate, plan and keep updated the Mass Care and Shelter Plan.**

**Does not apply to the Office of the Sheriff.**

**F8. Sheriff OES does not have the resources to update all the operational planning and preparation plans as required by the 2016 Bay Area Earthquake Plan.**

**Agree.** Sheriff OES does not have the staff to maintain and update every plan and annex that currently exist. Prioritization on updates goes to the plans that have legal requirements for update (County Base Emergency Plan) and those plans that are required to meet Federal and State mandates for compliance to be eligible for disaster recovery money (Local Hazard Mitigation Plan).

There are no "requirements" currently to be up to date with the 2016 Bay Area Earthquake Plan. It is a best practices document, but not a document with legal or fiduciary mandates like the Base Plan or Hazard Mitigation Plans.

**F9. Sheriff OES has no written procedures concerning selection, inspection and opening an emergency shelter.**

**Agree.** Written procedures for inspection and opening are an EHSD and Red Cross function. These responsibilities are stated in the current Operational Area Mass Care and Sheltering Plan as led by EHSD with assistance from the American Red Cross. Sheriff OES supports this planning but has traditionally not been the lead agency responsible for this detail.

**F10. Sheriff OES has no standard training program that covers how emergency shelters are selected, inspected, and opened.**

**Agree.** The currently approved Contra Costa Operational Area Mass Care and Shelter Plan states:

The Contra Costa Operational Area EOP designates the Department of Employment and Human Services (EHS) as the agency with primary responsibility for sheltering residents and visitors in Contra Costa County. The EOP further designates the department's director responsible for Operational Area Care and Shelter operations and requires the director to appoint an Operational Area Mass Care and Shelter Director and coordinate with the ARC, the Salvation Army, and Contra Costa County Animal Services.

**F11. The Sheriff OES recognizes the American Red Cross makes non-binding pre-arrangements for shelters and lists the shelters on the FEMA sponsored database, National Shelter System (NSS).**

**Agree.**

**F12. Responsibility for determining whether a shelter is habitable and safe to use rests with the local jurisdiction or Sheriff OES.**

**Partially Disagree.** Sheriff OES supports shelter coordination; however, habitability and safety is an Environmental Health and Building Inspection function. This is done in collaboration with the American Red Cross and the EOC disability coordinators in the EOC. Sheriff OES would not determine this but would corroborate EHSD and Environmental Health's decision.

**F13. Sheriff OES can review, but not edit, data in the NSS**

**Agree.**

**F14. EHSD does not have access to the NSS.**

**Does not apply to the Office of the Sheriff.**

**F15. Sheriff OES does not receive regularly scheduled reviews and updates of the shelter sites in NSS from the American Red Cross.**

**Agree.**

**F16. Sheriff OES has not received a NSS based shelter report from the American Red Cross since 2008.**

**Agree.**

**F17. EHSD does not receive regularly scheduled reviews and updates of shelter sites in NSS from ARC.**

**Does not apply to the Office of the Sheriff.**

**F18. EHSD has not received a NSS based shelter report from the American Red Cross since 2008.**

**Does not apply to the Office of the Sheriff.**

**Recommendations:**

**R1. Sheriff OES should consider creating a schedule for updating the Bay Area Earthquake Plan operational annexes by the end of 2017.**

**The recommendation will not be implemented because it is not reasonable.**

Sheriff OES agrees that the current Operational Area annexes should be updated. But Sheriff OES disagrees with the Grand Jury's recommendation to use the Bay Area Earthquake Plan as the foundation for our planning efforts. Currently, the Operational Area has an all hazards base emergency plan. Any annexes built or updated going forward should be linked to this Contra Costa base emergency plan.

The Grand Jury's recommendation to use scenario specific plans (earthquake) is very prohibitive and would require development of plans and annexes that address every major threat the County faces (Earthquake, flood, wildfire etc.). Sheriff OES would prefer to build functional annexes that are flexible and able to address responses to more than just earthquakes. The goal is to create functional annexes (Mass Care and Shelter) that can be referenced during a variety of events.

The County Office of Emergency Services will build a schedule for plans development. Current planning efforts for 2017/2018 are the completion of the Local Hazard Mitigation Plan and a Comprehensive Delta Flood Emergency Plan.

Sheriff OES resources are limited. The last update to the base emergency plan took over a year to be approved. Draft plans are written by Sheriff OES. They must then be reviewed by County Counsel, the Internal Operations Committee of the Board of Supervisors, the Emergency Services Policy Board for changes. Changes are made and then again reviewed by the above prior to submission to the Board of Supervisors for approval. This process requires time, typically, longer than one year. Currently Sheriff's OES maintains:

- Contra Costa Emergency Operations Plan (next re-write 2019)
- Contra Costa Local Hazard Mitigation Plan (currently updating)
- Contra Costa Earthquake Plan
- Contra Costa Mass Care and Shelter Plan Annex
- Contra Costa Mass Fatality Plan Annex
- Contra Costa Volunteer Management Plan Annex
- Contra Costa Mass Transportation and Evacuation Plan Annex
- Delta Flood Emergency Plan (Drafting)
- Continuity of Operations/ Government Plan (Drafting)

The Earthquake Plan and 5 annexes (including the Mass Care and Shelter Plan) were developed through a large UASI grant awarded in 2010. Updating all the above is a multi-year process and will be difficult without additional funds earmarked for these projects.

**R2. The Board of Supervisors should consider identifying funds by July 2018, to permit Sheriff OES and EHSD to coordinate and complete the Mass Care and Shelter Plan according to the schedule submitted by the Sheriff OES.**

**The recommendation has not yet been implemented, but will be implemented.**

Sheriff OES does not have the personnel resources for planning and update efforts to the functional annexes that include the Mass Care and Shelter. The allocation of additional funds and resources would fulfill this recommendation. Current Sheriff OES planning staff is committed to the Local Hazard Mitigation Plan and Delta Flood Emergency Plan.

**R3. Sheriff OES should consider developing a written Mass Care and Shelter protocol by July 1, 2018, that covers selection, inspection, and opening shelter, and identifying funds to do so.**

**The recommendation will not be implemented because it is not reasonable.**

Sheriff OES will support those agencies listed in the California Emergency Services Act as responsible for this activity. This is EHSD and the American Red Cross. Note: The Bay Area Earthquake Plan referenced above does not speak to specific shelter operations selection, management and oversight.

**R4. Sheriff OES should consider including shelter selection, inspection and preparation when it establishes the Emergency Operations Center for a simulated disaster as part of exercises.**

**The recommendation will not be implemented because it is not reasonable.**

Shelter Operations is a constant consideration during all EOC exercises. During all Functional EOC exercises shelter operations are incorporated into the scenarios. As an example:

- EOC Functional Exercise October 2015 (Earthquake Scenario)
- EOC Functional Exercise September 2016 – (Points of Distributions Scenario).
- Contra Costa Care and Shelter Table Top Exercise 6/22/17 – Exercise specifically tested the current Mass Care and Shelter Plan. After Action Report to follow July 2017.
- EOC Functional Exercise October 2017 is a wildfire urban interface scenario requiring mass shelter of evacuees.

The recommendation that Sheriff OES be responsible for shelter selection, inspection and preparation is counter to State Emergency Services Act. It is not a recommendation in the referenced Bay Area Earthquake Plan. As stated *under the California Emergency Services Act*:

- The cities in the Contra Costa Operational Area are responsible for the care and sheltering of their residents.
- Contra Costa County is responsible for local care and sheltering of residents in unincorporated areas of the Operational Area.
- The Contra Costa County Employment and Human Services Department is the lead local agency for these activities.

Shelter selection and inspection is a field level issue, not an EOC function. OES staff will not be inspecting and approving physical shelter locations. Sheriff OES will help facilitate Employment and Human Services and the American Red Cross who are responsible for this activity.

**R5. EHSD should consider access to view the NSS list by the end of 2017.**

**The recommendation has not yet been implemented, but will be implemented.**

It is upon EHSD to request the American Red Cross for access to the NSS list. Sheriff OES supports the need for EHSD to view the NSS list.

**R6. Sheriff OES should consider providing training to EHSD on how to use the NSS system after EHSD is granted access to view the NSS list.**

**The recommendation has not yet been implemented, but will be implemented.**

Sheriff OES has viewing only access to the NSS list. Sheriff OES training would be limited to viewing the list only.

**R7. EHSD should consider periodic reviews of the currency of the data and make update recommendations and corrections to the American Red Cross after EHSD is granted access to view the NSS list.**

**Does not apply to the Office of the Sheriff.**

**R8. Sheriff OES and American Red Cross should consider inviting EHSD to their regular meetings regarding earthquake planning and review associated policies.**

**The recommendation has been implemented.**

In 2017, the Bay Area UASI is focused on mass care and shelter operations, and have had a series of workshops. Sheriff OES hosted a table top exercise on 6/22/17 to specifically test the existing Mass Care and Shelter Plan. Sheriff OES is planning a functional EOC exercise in 2017 that will encompass a mass care and shelter scenario as part of the exercise. Sheriff OES is engaged with the City and County in training Functional Assessment Service Teams (FAST) related to shelter operations. Sheriff's OES also participates with the ARC Disability Integration Program.

At all the above, EHSD has been invited. EHSD has participated in many of the above events. Members of the EHSD meet regularly with OES staff as their schedules allow.

Sheriff OES continually invites EHSD to meetings associated with shelter operations.

**R9. Sheriff OES should consider reviewing its plans to coordinate local jurisdictions, EHSD and the American Red Cross during an emergency, and develop procedures and provide training where deficiencies are identified.**

**The recommendation has been implemented.**

As stated, a big part of the exercise cycle this year is revolving around Mass Care and Shelter Operations. In conjunction with the Bay Area UASI mass care and shelter focus, Sheriff OES is conducting a strong review of its current Mass Care and Shelter Plan. As an example:

June 22, 2017 - Contra Costa Mass Care and Shelter Table Top Exercise.

Participants included Contra Costa Agencies including: Sheriff OES, Employment Human Services, Health Services, Public Health, Environmental Health, Conservation and Development, Hazmat, Contra Costa Fire, EMS, Cal Fire, 211, the Cities of Concord, Walnut Creek, San Pablo, Richmond and Brentwood, Animal Services, American Red Cross and VOAD.

This exercise specifically tested components of the existing Mass Care and Shelter Plan. An After-Action Review will be published in July 2017.

On June 27, 2017, the Bay Area UASI published a document summarizing recommendations based on an independent review of local care and shelter plans against established best practices. This document included a review of the Contra Costa Mass Care and Shelter Plan. This document is a much more relevant format to review the current Contra Costa Mass Care and Shelter Plan compared to using the Bay Area Earthquake Plan 2016.

This evaluation provides specific areas to improve on the existing plan using industry standards and compares against other existing Mass Care and Shelter Plans.

October 2017 - Operational Area EOC Exercise.

This exercise will include all agencies responsible for staffing the EOC. It will include activations of City EOC's as well. The scenario is based on a wildland fire urban interface. This will require the notional evacuation of residents from the wildfire area. Shelter activations and setup will be part of the exercise scenario.

Between the testing of the existing Mass Care and Shelter Plan and UASI plan review we will have a good foundation to update the current Op Area Mass Care and Shelter Plan. EHSD and the American Red Cross are vital partners in this update.