



**SHERIFF-CORONER DEPARTMENT  
COUNTY OF ORANGE  
CALIFORNIA**

**SANDRA HUTCHENS  
SHERIFF-CORONER**

**UNDERSHERIFF  
JOHN L. SCOTT**

**EXECUTIVE COMMAND  
TIM BOARD  
RICK DOSTAL  
MIKE JAMES  
JAY LEFLORE**

**COMMANDERS  
MARK BILLINGS  
LEE TRUJILLO  
W. DAVID WILSON**

**OFFICE OF SHERIFF-CORONER**

550 N. FLOWER STREET  
P.O. BOX 449  
SANTA ANA, CA 92702-0449  
(714) 647-7000

**Date:** November 4, 2010

**To:** Steve Danley, Performance Auditor

**From:** Sandra Hutchens, Orange County Sheriff-Coroner

**Subject:** **RESPONSE TO REVIEW OF OCSD HARBOR PATROL – FINAL DRAFT REPORT**

---

Thank you for the opportunity to review the final draft report of the Harbor Patrol Review. Of the 17 studies completed thus far on the Harbor Patrol, we found the current audit to be the most rigorous, comprehensive and thorough in its examination of the highly complex history and funding arrangement of this operation.

The report presents an accurate account of the long standing presence and commitment of County resources in all County harbors. Indeed, the report accurately identifies Newport Harbor as the genesis of the entire Orange County Harbors, Beaches and Parks system dating back to the 1920's. The report also correctly identifies coastal cities as major contributors of property taxes to CSA 26 and our conclusion is that those property taxes are appropriately dedicated to coastal operations.

We also appreciate that one of the Performance Auditor's MAJOR findings is that:

*"OCSD Harbor Patrol, overall, is a strong operation. Interviews with multiple stakeholders, as well as direct observation and benchmarking by the review team, all support the conclusion that the Harbor Patrol provides a high level of service with uniquely trained and experienced staff."*

A fresh review of any operation is insightful and we agree with many of the recommendations made in the report. The department has already eliminated the Office Technician position in Dana Point (recommendation #3), rescheduled the station Sergeants in the outlying facilities (recommendation #5), sought out grant funding from California DBW (recommendation #10) and resolved the fuel tank issue in Dana Point (recommendation #12). We are in various stages of completing revised agreements with affected cities (recommendation #7), developing management data bases (recommendation #4) and reviewing all policies related to emergency and non-emergency rescues (recommendation #6). Additionally, the Department has deferred the purchase of a fireboat in FY09/10 and has secured Department of Homeland Security grant funding for a fireboat.

**PROUDLY SERVING THE UNINCORPORATED AREAS OF ORANGE COUNTY AND THE FOLLOWING CITIES AND AGENCIES:**

ALISO VIEJO • DANA POINT • LAGUNA HILLS • LAGUNA NIGUEL • LAGUNA WOODS • LAKE FOREST • MISSION VIEJO  
RANCHO SANTA MARGARITA • SAN CLEMENTE • SAN JUAN CAPISTRANO • STANTON • VILLA PARK  
OC PARKS • DANA POINT HARBOR • JOHN WAYNE AIRPORT • OCTA • SUPERIOR COURT



Finding #1 of the report recommends clarification of service level requirements under the existing LAFCO agreement. We support clarifying this issue with LAFCO. However, I will point out that, since 1975, operational staffing levels in the Harbor Patrol have remained constant. In that same 35 year period, management and support personnel have been reduced (management by 2/3rds). However, the duties and responsibilities of the harbor patrol have increased and become more complex. Since 1975, the number of registered vessels in Orange County has increased from 12,000 to 68,000, the ability and willingness of the Coast Guard to participate in water rescues has been greatly curtailed and the threat of terrorism, via a marine environment, is real and well-documented.

One issue that has often been raised is that consideration be given to replacement of Deputies with a classification of employee that does not receive safety retirement benefits. Another scenario suggests a reduction of the existing Harbor Patrol staff by reducing responsibilities and piecemealing existing duties to different agencies. Both of these scenarios are contrary to the current county trend of consolidating services and increasing responsibilities. Over the years, the Harbor Patrol has accepted additional responsibilities without adding additional personnel. Having one classification of employee (Deputy Sheriff) and one department (OCSD) responsible for providing services has resulted in a service delivery model that, as acknowledged in the report, "enjoys a large degree of public support," and is an "efficient operation,". It is a time-tested, proven model that has been extremely effective for 35 years. It seems counter-intuitive to fragment duties to employees with different classifications or parcel out responsibilities to a variety of other agencies. Both ideas would meet with resistance by affected cities, user groups and labor unions. Both would erode the long-standing history of excellent service and efficiency only to be replaced by a bureau or bureaus that are less responsive, less efficient and overall, more costly.

The Harbor Patrol performs an essential and indispensable law enforcement and public safety function within the three Orange County Harbors and along its coastline. The Harbor Patrol is the only civilian waterborne law enforcement entity operating in the entire county and it has served as a proven model of operational efficiency and effectiveness since 1975. During the most recent year, Harbor Patrol Deputies responded to numerous emergency rescues and boat accidents involving injury. Had the Harbor Patrol not been in service with its current classification and number of employees, some of the public's calls for service may have ended very differently. It is not by accident that Orange County Harbors are some of the safest and most desirable harbors in the world.

As in previous studies, the Performance Auditor identified the funding source of the Harbor Patrol as the primary source of "consternation" between various stakeholders. In FY 07-08, the Board of Supervisors utilized County General Funds to pay for Harbor Patrol costs that had previously been funded by CSA 26 and Dana Point Tidelands. However, the following year, the Board decided to return to the original funding arrangement (using funds from CSA 26 and

Dana Point Tidelands and not using County General Funds) due to severe budget reductions in the General Fund which resulted in layoffs, furloughs, and service reductions to the public. That being said, budget circumstances change each year and we would welcome the opportunity to participate in any working group that may be formed (as recommended by the audit team) to identify funding source alternatives for the benefit all user groups.

If you have any questions, please contact Lieutenant Mark Long at 949-673-1025.

A handwritten signature in black ink, appearing to read "Sandra Hutchens", written over a horizontal line.

Sandra Hutchens  
Sheriff-Coroner

cc: Thomas G. Mauk, County Executive Officer, County Executive Office  
Alisa Drakodaidis, Deputy CEO, OC Infrastructure  
Steve Franks, Director, OC Community Resources  
Mark Denny, Director, OC Parks  
Brad Gross, Director, OC Dana Point Harbor