

## 2021–2022 MARIN COUNTY CIVIL GRAND JURY

# COVID-19 RESPONSE IN MARIN COUNTY: SUCCESSES AND NEXT STEPS

May 25, 2022

## **SUMMARY**

Marin County's response to the COVID-19 pandemic has rightfully been held up as an example of strong and capable public health leadership and coordinated emergency response across multiple communities, partners, and agencies. To address the pandemic, nearly 1,300 county staff were mobilized and more than \$100 million in county, state, and federal funds were spent to address a myriad of needs, including testing, rent relief, food distribution, emergency housing, and vaccinations. While Marin's overall COVID-19 response has been excellent, there are opportunities to improve responses to the ongoing pandemic and to future emergencies by reviewing and documenting lessons learned during this pandemic.

Over the past two years of the pandemic:

- Marin's COVID-19 infection, hospitalization, and vaccination rates were better than most other counties in the U.S.
- Collaborations with trusted community agencies were critical to communicating with and assisting underserved communities.
- The Marin County Office of Emergency Services capably managed the COVID-19 response on top of other emergencies.
- Businesses and schools were significantly impacted, with effects expected to last for years to come.
- The California Department of Corrections and Rehabilitation mishandled the COVID-19 outbreak at San Quentin, creating unnecessary strain on Marin's healthcare systems.
- Reviews of the pandemic response were conducted but have not yet been comprehensive enough to capture and document broad lessons learned for the future.

The Grand Jury is recommending a comprehensive countywide post-pandemic review to capture lessons learned from the response to the pandemic with the objective to improve responses to future disasters. It is also recommending a formal review to determine the optimal reporting relationship for the Marin County Office of Emergency Services.

## **APPROACH**

The Marin County Civil Grand Jury conducted interviews with county employees, educators, healthcare professionals, representatives of community agencies, and other individuals knowledgeable about the impact of the COVID-19 pandemic on the county, municipalities, communities, businesses, medical professionals, and residents. Data, documents, and studies

developed by experts related to the impact of the pandemic, as well as literature from local, state, and national news reports were examined and considered when creating findings and recommendations in this report.

## **BACKGROUND**

Rarely have Marin County and its residents had to address a crisis of such magnitude and urgency as the COVID-19 pandemic. It exposed both the strengths and weaknesses of public and private entities engaged in providing healthcare, elder care, housing, homeless assistance, education, food, and numerous other aspects of our daily lives. Requirements for sheltering in place and masking strained businesses, schools, and public agencies.

Responses to many of the challenges were improvised, amended, and enhanced based on real-time learnings. The responses had to be scaled to levels of activity never experienced by emergency planners, epidemiologists, or county leaders. More than a thousand county personnel were deployed to provide emergency support, often while continuing to perform their normal job responsibilities. The county, municipalities, medical providers, and community agencies worked together, basing their individual and combined responses on both formal and informal plans, as well as professional and personal relationships that drew expertise and support from a wide range of capable sources.

The pandemic has provided Marin County with a wealth of experience and knowledge on how to respond to a wide-scale emergency. It would be unfortunate to lose the lessons learned from this experience. Marin has an opportunity to document and use these lessons to guide future responses. A guidance document can be passed on to Marin's future leaders and grow in value as the pandemic fades into history and our current leaders leave their posts.

## **DISCUSSION**

COVID-19 was first reported in Wuhan, China in December 2019. It reached Marin County in March 2020 when the Marin County Public Health Officer, Dr. Matt Willis, was forced to issue orders for sheltering in place. All schools as well as most businesses and government offices closed to prevent the disease from spreading and overloading Marin's hospitals. It was the beginning of an ongoing, multi-year battle that has tested Marin's public services as case counts peaked in four distinct waves and the virus evolved from a deadly threat to more infectious but less severe variants. Overall, the response has been excellent, but Marin's COVID-19 response also revealed some areas for improvement.

### **Marin County's COVID Successes**

By most objective measures of public responses to the COVID-19 pandemic, Marin County has thus far fared better than most other counties in the state or nation.

The COVID case count of 30,602 (as of March 31, 2022) results in a cumulative case rate of 120 per 1,000 population, well below the California and national case rates.<sup>1</sup> These numbers do not

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<sup>1</sup> Marin County Health & Human Services, *Novel Coronavirus (COVID-19) Surveillance Update*, March 31, 2022. <https://coronavirus.marinhhs.org/surveillance>

include San Quentin inmates; an additional 2,836 COVID-19 cases have been confirmed there as of March 31, 2022.<sup>2</sup>

As of March 31, 2022, Marin had reported 239 deaths due to COVID-19, resulting in a cumulative death rate of 0.9 per 1,000 population, also well below state and national rates.<sup>3</sup> These numbers do not include San Quentin, where COVID-19 led to the deaths of 28 inmates and one correctional officer.<sup>4</sup>

More than 88 percent of Marin's total population, and 92 percent of its eligible population (ages 5 and up), has received a complete series of COVID vaccinations as of March 31, 2022.<sup>5</sup> Marin is among the highest vaccinated counties in the United States.<sup>6</sup> About 60 percent of Marin's total population has received at least one booster dose.

Although stretched to their limits, Marin's three hospitals and their medical staffs successfully managed through the pandemic without a systemic failure. Marin's extended and senior care facilities experienced most of Marin's COVID deaths among their vulnerable populations, but managed for the most part to minimize effects from the virus with guidance and mandates from the county public health office.

The county's department heads worked together to develop and communicate a countywide response to the pandemic. More than 1,300 county employees acted as disaster service workers over the next 15 months. In some cases, county employees were asked to assist in duties related to their regular employment. In other cases, employees were assigned to perform duties totally unrelated to their positions. As an example, some county employees who normally work at administrative functions in the Assessor and Finance departments were deployed into positions where they were helping to house and quarantine infected people in hotels until they could safely return to their homes without infecting their housemates. Other county employees, first responders, and teachers stepped in to help at vaccination centers.

To support local businesses strained by pandemic restrictions, Marin County's Parks and Open Space Director assumed responsibility for Marin Recovers, which worked with 17 groups of agencies and businesses to help them reopen and or continue operating to the extent permitted. This initiative provided a channel of communication and was an important resource for businesses throughout the county. It served as a model for other counties in their efforts to support businesses. Even with this effort, the pandemic cost Marin nearly 10,000 jobs and many small businesses were forced to take on additional debt to stay open. Without the county's business recovery initiative, as well as state and federal financial support, the economic impact could have been even worse.

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<sup>2</sup> California Department of Corrections & Rehabilitation, *Population COVID-19 Tracking*, March 31, 2022. <https://www.cdcr.ca.gov/covid19/population-status-tracking/>

<sup>3</sup> Marin HHS, *COVID-19 Surveillance Update*, March 31, 2022.

<sup>4</sup> CDCR, *COVID-19 Tacking*, March 31, 2022.

<sup>5</sup> Marin County Health & Human Services, *Marin County COVID-19 Vaccinations*, March 31, 2022.

<https://coronavirus.marinhhs.org/vaccine/data>

<sup>6</sup> Shannon Lurie, "These Counties Have the Highest COVID-19 Vaccination Rates," *U.S. News & World Report*, March 30, 2022. <https://www.usnews.com/news/health-news/articles/counties-with-the-highest-covid-19-vaccination-rates>

## **Collaborations with Community Agencies**

Marin County's collaborations with community nonprofit agencies, including the Canal Alliance, West Marin Community Services, Marin City Health and Wellness Center, Community Action Marin, Marin Community Clinics, and Legal Aid of Marin, were key to providing social and medical services. These local agencies served as trusted messengers to members of the community most affected by the pandemic and helped to communicate information about the virus and available support services. They also partnered with the county and healthcare providers to deliver testing and then support vaccine programs for community members in their service areas. The county's willingness to accept suggestions from these agencies resulted in better support for many Marin residents.

Community-based agencies were able to extend county services in some parts of Marin. For example, West Marin Community Services helped local residents obtain needed services when the Marin County Health and Human Services office in Point Reyes Station was temporarily closed.

The partnerships between the county and non-profit agencies were documented in a March 2022 report, *Equitable Pandemic Recovery Strategies for Marin County*.<sup>7</sup> This report recognizes the accomplishments and value of these collaborations and recommends building on those successes. It further highlights the benefits and need for the county to continue working with these community-based agencies in preparation for future challenges.

## **Impact on Municipalities**

The speed of the pandemic forced quick decisions on public health policies and resulted in mandates that required equally fast action by local governments. Some mandates came without warning, leaving municipalities, businesses, and public safety personnel with little or no preparation time to adjust operations and implement changes. This was particularly troublesome in the early months of the pandemic. By July 2020, the county established regular meetings and invited municipal and community leaders to participate in weekly calls related to the pandemic response. This helped to improve communications but troubles resurfaced with the arrival of more infectious variants that required faster responses. Some local leaders reported feeling that they were on the end of one-sided conversations with county officials.

## **Office of Emergency Services**

The Marin County Office of Emergency Services (OES) coordinates responses from many public agencies to address a wide range of events, including pandemics, wildfires, earthquakes, extreme weather, school closures, and law enforcement activity. In the county's current organization, the OES reports to the Marin County sheriff and the OES manager is several levels down in the sheriff's command structure. In recognition of the broad scope of OES responsibilities, some officials are looking at the possibility of moving this office under the Board of Supervisors, reporting either to the county administrator or the Marin County fire chief.

The OES has served the county well for many years. The OES is housed in the sheriff's headquarters on Los Gamos Road in San Rafael. This technically advanced center operates in a large workspace, bringing together managers with responsibilities for schools, public health,

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<sup>7</sup> Renee Roy Elias, *Equitable Pandemic Recovery Strategies for Marin County: A Call to Action*, March 2022. [https://camarin.org/wp-content/uploads/Equitable\\_Recovery\\_Report\\_and\\_Policy\\_Recs-1.25.22.pdf](https://camarin.org/wp-content/uploads/Equitable_Recovery_Report_and_Policy_Recs-1.25.22.pdf)

public works, and other functions, as well as law enforcement and fire. In this center, these managers share up-to-the-minute images and information and make decisions needed to coordinate effective emergency responses.

The ongoing COVID-19 pandemic is the first countywide emergency that has lasted for multiple years and required the Department of Public Health to play a lead role in decision making, communications, and response. Countywide public health directives were issued by the Marin County Public Health Officer. According to a preliminary assessment of Marin's COVID-19 response by Tetra Tech Inc., the pandemic exposed a lack of training and some confusion about the chain of command in the OES where some employees were new to public health directives.<sup>8</sup>

The optimal reporting relationship for the Office of Emergency Services is under review by the county and deserves careful consideration for the following reasons:

- Its scope extends well beyond law enforcement and fire to include public health, health and human services, schools, public works, and more.
- The Office of Emergency Services could be more accountable and transparent with a direct reporting relationship to the Board of Supervisors.
- Given the critical role served by OES, it could benefit from reporting more directly to the county administrator and board of supervisors, who bear the ultimate responsibility for Marin's public safety and public health.

## **San Quentin**

San Quentin State Prison is managed by the California Department of Corrections and Rehabilitation, but it operates in Marin County and can have a major impact on local public agencies and the surrounding community. This became abundantly clear when the state corrections department caused a major COVID outbreak in San Quentin with the transfer of 122 inmates from the California Institute for Men in Chino. Marin Superior Court Judge Geoffrey Howard called the transfer a “bumbling sequence of events” that ultimately infected 1,300 people and resulted in 28 deaths in the prison.<sup>9</sup> The impact of this outbreak also extended into the broader Marin community, straining its health facilities and raising serious questions about the relationship between the state prison and the county in which it operates.

Infected inmates requiring urgent care were taken to Marin hospitals, where rising caseloads threatened to overwhelm medical personnel and exceed the number of available beds. The number of hospitalizations from San Quentin “stressed local hospital capacity,” according to the county health department.<sup>10</sup> To add to this stress, hospitalized inmates were accompanied by prison guards who did not always comply with basic hospital requirements for masking and social distancing.

The scale of this outbreak could have been limited had San Quentin prison officials heeded the advice of Marin’s Department of Public Health. Early in 2020, Marin’s Public Health Director and the state provided prison officials with recommendations and requirements for managing the

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<sup>8</sup> Tetra Tech Inc., *Marin County Assessment Report*, December 11, 2021, p. 14.

<sup>9</sup> *In re. Hall et. al.*, San Quentin Consolidated Writ, SC212933, Final Order, (Nov. 16, 2021) Cal. Sup. Court, Cnty of Marin p. 84.

[https://www.marincourt.org/PDF/SQ\\_Consolidated\\_Writ\\_Proceeding\\_Groups\\_1-3\\_FINAL\\_ORDER.pdf](https://www.marincourt.org/PDF/SQ_Consolidated_Writ_Proceeding_Groups_1-3_FINAL_ORDER.pdf)

<sup>10</sup> Jordan Culver, “Focus and Concern in California: Nearly One-Third of Inmates Have Coronavirus,” *USA Today*, June 30, 2020. <https://www.usatoday.com/story/news/nation/2020/06/29/san-quentin-coronavirus-outbreak-nearly-one-third-inmates/3283450001/>

COVID risk at San Quentin. The policies for transferring, testing, and housing inmates were largely ignored. The issue was only addressed after the outbreak when, at the urging of the Marin County Board of Supervisors, Marin County Public Health staff was finally added to the prison's COVID management team.

Marin County's public health authorities were stretched further than necessary during this avoidable crisis at San Quentin. This outbreak and its tragic consequences could have been avoided if the staff at San Quentin had accepted the early advice of county public health officials in the community where it operates. Understanding how this disconnect can be avoided in the future should be an important topic for a comprehensive post-pandemic review.

### **After Action Report/Comprehensive Review**

To their credit, many county departments conducted informal reviews of their responses during the pandemic. In December 2020, the Office of Emergency Services commissioned Tetra Tech, Inc. to conduct a narrowly focused "mid-point" review. The Tetra Tech review resulted in an 18-page Improvement Plan with several tactical recommendations, including additional training, setting staffing expectations, and improving communications, many of which are in the process of being implemented.<sup>11</sup>

To date, a coordinated, comprehensive, countywide review of Marin's COVID-19 response, including input from community partners, healthcare providers, municipal governments, business leaders, and other stakeholders, has not been completed. A comprehensive lookback could identify opportunities to improve communications, preparations, and responses by all of the county's public agencies and community service groups. A published countywide, multi-agency review could serve to guide Marin's current and future leaders' responses to the ongoing effects of COVID-19, as well as the next emergency. This effort could be financed using some of the over \$174 million in federal and state recovery funds that have been made available to the county.

## **FINDINGS**

- F1. The COVID-19 pandemic response by Marin County's public agencies and their employees was for the most part excellent, resulting in fewer hospitalizations and deaths than other similar counties, and a vaccination rate that is among the highest in the nation.
- F2. Marin's broad emergency response showed that the county's health and human services, law enforcement, fire protection, public schools, and other public agencies coordinated and responded to multiple emergencies and inevitable surprises very effectively.
- F3. The county and community-based organizations overcame initial communications, operational, and logistical challenges, and these collaborations were key to serving the public health needs of Marin's communities.
- F4. Marin County's Public Health Department did an admirable job addressing an avoidable San Quentin COVID-19 outbreak, which resulted in a strain on Marin's health facilities and resources.

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<sup>11</sup> Tetra Tech, Inc., *Marin County COVID-19 EOC Activation Improvement Plan*, December 2020.

- F5. Marin County did not always adequately engage and coordinate with the county's municipalities and communities regarding implementation of health and safety protocols. Although progress has been made in more effective communications, there sometimes continues to be inadequate notice regarding logistical implementation of health and safety protocols in impacted communities, municipalities, and schools.
- F6. A review of the reporting structure for the Marin County Office of Emergency Services would be appropriate in view of its broad scope of responsibilities including public health.

## **RECOMMENDATIONS**

- R1. By October 31, 2022, the Marin County Board of Supervisors should initiate a comprehensive review of the countywide COVID-19 pandemic response, with the involvement of municipalities, schools, community-based organizations, and businesses.
- R2. By October 31, 2022, the Marin County Board of Supervisors should conduct a formal review to determine and establish the optimal reporting relationship for the Marin County Office of Emergency Services.

## **REQUEST FOR RESPONSES**

Pursuant to Penal code section 933.05, the grand jury requests responses as follows:

From the following governing bodies:

- Marin County Board of Supervisors (F1-F6, R1-R2)

The governing bodies indicated above should be aware that the comment or response of the governing body must be conducted in accordance with Penal Code section 933 (c) and subject to the notice, agenda, and open meeting requirements of the Brown Act.

Note: At the time this report was prepared information was available at the websites listed.

Reports issued by the Civil Grand Jury do not identify individuals interviewed. Penal Code Section 929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Civil Grand Jury. The California State Legislature has stated that it intends the provisions of Penal Code Section 929 prohibiting disclosure of witness identities to encourage full candor in testimony in Grand Jury investigations by protecting the privacy and confidentiality of those who participate in any Civil Grand Jury investigation.