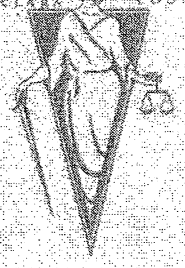
RP#204

GRAND JURY
SANTA CLARA COUNTY



JUN 26 2003

June 24, 2003

Robert S. LaSala
City Manager
City of Sunnyvale
456 West Olive Avenue
Sunnyvale, CA 94086

Dear Mr. LaSala:

The 2002-2003 Santa Clara County Civil Grand Jury is transmitting to you its Final Report, **Inquiry Into Computer Information Systems Disaster Recovery Plans.**

California Penal Code, Section 933(c) and 933.05(c) require that an elected county official or agency head shall respond within **60 days** to the Presiding Judge of the Superior Court on the findings and recommendations pertaining to matters under the control of their agency or department. Copies of responses to the Grand Jury's report must also be submitted to the Board of Supervisors. California Penal Code, Section 933.05 contains guidelines for responses to Grand Jury findings and recommendations and is attached to this letter.

PLEASE NOTE:

1. **As stated in Penal Code 933.05, you are required to "Agree" or "Disagree" with each FINDING.** ***If you disagree, in whole or part, you must include an explanation of the reasons you disagree.***

2. **As stated in Penal Code 933.05, you are required to respond to each RECOMMENDATION** ***with one of four possible actions.***

Your comments are due in the office of the Honorable Thomas P. Hansen, Presiding Judge, Santa Clara County Superior Court, 191 North First Street, San Jose, CA 95113, no later than August 25, 2003.

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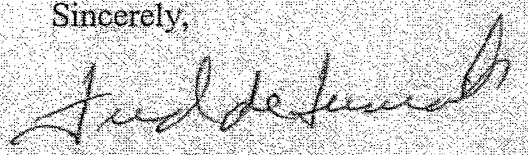
Copies of all responses shall be placed on file with the Clerk of the Court.

Sincerely,



FRED de FUNIAK
Foreperson
2002-2003 Civil Grand Jury

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Enc.

California Penal Code §933.05, in relevant part:

933.05. (a) For purposes of subdivision (b) of Section 933, as to each grand jury finding, the responding person or entity shall indicate one of the following:

(1) The respondent agrees with the finding.

(2) The respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefor.

(b) For purposes of subdivision (b) of Section 933, as to each grand jury recommendation, the responding person or entity shall report one of the following actions:

(1) The recommendation has been implemented, with a summary regarding the implemented action.

(2) The recommendation has not yet been implemented, but will be implemented in the future, with a timeframe for implementation.

(3) The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the grand jury report.

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

(ENDORSED)
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M. SI TORRE
CHIEF EXECUTIVE OFFICER/C
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2002-2003 SANTA CLARA COUNTY CIVIL GRAND JURY

INQUIRY INTO COMPUTER INFORMATION SYSTEMS DISASTER RECOVERY PLANS

Summary

As a follow-up to audit findings by the Santa Clara County Internal Auditor, the 2002-2003 Santa Clara County Civil Grand Jury (Grand Jury) conducted an inquiry into the status of computer information systems disaster recovery plans for cities/towns within Santa Clara County and for selected county agencies/authorities/districts. The Grand Jury determined that not all organizations have prepared written disaster recovery plans and that, when such plans have been prepared, they have not always been tested or updated. A recommendation is made to improve this situation.

Background

An audit report issued by the Santa Clara County Internal Auditor in May 2002 indicated shortfalls in disaster recovery plans and physical security for computer information systems of Santa Clara Valley Health and Hospital System (SCVHHS). In view of this information, the Grand Jury elected to conduct an inquiry to determine if cities/towns within Santa Clara County and selected county agencies/authorities/districts had prepared written disaster recovery plans for computer information systems, and if these plans were regularly tested and updated.

The primary objective of a computer information systems disaster recovery plan is to allow mission-critical systems to survive a disaster and support the re-establishment of normal operations. Our cities/towns and county agencies/authorities/districts provide many essential services to their citizens. The disruption of these services following a disaster could result in significant harm or inconvenience to those who are served.

The Government Finance Officers Association (GFOA), the professional association of state/provincial and local finance officers in the United States and

Canada, recommends that every government agency formally establish and regularly update written policies and procedures for minimizing disruptions resulting from computer failures following a disaster. Specifically, the GFOA recommends that such policies and procedures accomplish the following:

- Formally assign disaster recovery coordinators for each agency or department to form a disaster recovery team;
- Require the creation and preservation of backup data;
- Provide detailed instructions for restoring disk files from backup;
- Make provision for the alternative processing of data following a disaster;
- Establish guidelines for the immediate aftermath of a disaster.

In addition, the following actions are recommended by GFOA:

- Copies of the policies and procedures should be kept offsite to assure availability in the event of a disaster;
- The recovery plan should be tested periodically, and immediate action should be taken to remedy any deficiencies identified by that testing;
- Steps should be taken to assure the adequacy of disaster recovery plans for outsourced services.

In order to assess the overall status of computer information systems disaster recovery planning within Santa Clara County, meetings were held with the Director, Business Development and Applications, in the Santa Clara County Information Services Department and with the Chief Information Officer for the Santa Clara Valley Health and Hospital System. In addition, a survey was sent to:

- Fifteen cities/towns within Santa Clara County;
- Santa Clara County Sheriff's Office, Assessor's Office and Department of Correction;
- Valley Transportation Authority;
- Santa Clara Valley Water District.

The survey consisted of seven questions:

1. Does a disaster recovery plan exist?
2. Date it was prepared.
3. Date of last major update.
4. Date of last testing of the plan.
5. Are there any access controls in place? If so, please provide a summary.
6. Are routine access reports generated? If so, what is the frequency of their review?
7. If there is no plan in writing at this time, and if one were to be written, from whom might you seek help?

The results obtained from this survey indicate that only six of the fifteen cities/towns have written disaster recovery plans at this time, and that all of the selected agencies/authorities/districts have written plans. In addition, it was determined that only three of the cities/towns and all but one of the agencies/authorities/districts with written plans have tested them. For security reasons, the Grand Jury is not divulging the names of the government entities that lack formal written disaster plans. Those entities not in compliance are aware of this deficiency, based on information furnished to the Grand Jury.

Finding

Nine of the fifteen cities/towns in Santa Clara County do not have written disaster recovery plans for computer information systems; and not all written plans have been tested and updated.

Recommendation

All cities/towns within Santa Clara County and all county agencies/authorities/districts should have written disaster recovery plans for mission-critical computer information systems, and should regularly test and update these plans. Managers, supervisors and other personnel with a "need to know" should have ready access to current versions of the plans.

PASSED and **ADOPTED** by the Santa Clara County Civil Grand Jury on this 20th day of May, 2003.

Fred de Funiak
Foreperson

Ron R. Layman
Foreperson Pro Tem

Patricia L. Cunningham
Secretary

References

Documents

County of Santa Clara, Audit of Data Center Operations, Information Services, Santa Clara Valley Health and Hospital System (SCVHHS) dated March 1, 2002 (County of Santa Clara Finance Agency Internal Audit Division, May 17, 2002).

Government Finance Officers Association (1750 K St. N.W., Suite 350, Washington, D.C. 20006), http://www.gfoa.org/services/nl/computer-disaster-recovery.shtml.

Letter dated January 2, 2003, RE: Information Systems Disaster Recovery and Physical Security, City Manager, City of Morgan Hill.

Letter dated January 14, 2003, RE: Information System Disaster Recovery and Physical Security, County of Santa Clara, Office of the Sheriff.

Letter dated January 14, 2003, RE: Information Systems Disaster Recovery and Physical Security, City of Mountain View.

Letter dated January 17, 2003, RE: Information System Disaster Recovery and Physical Security, City of Campbell, City Manager's Office.

Letter dated January 16, 2003, Information Systems Disaster Recovery and Physical Security, Chief Executive Officer, Santa Clara Valley Water District.

Letter dated April 17, 2003, RE: Information Systems Disaster Recovery and Physical Security, City of Palo Alto.

Letter dated January 6, 2003, RE: Information Systems Disaster Recovery and Physical Security, City of Cupertino.

Letter dated January 14, 2003, RE: City of Gilroy's Information System Disaster Recovery and Physical Security, City of Gilroy.

Letter dated January 15, 2003, RE: Information Systems Disaster Recovery and Physical Security, Town of Los Gatos, Office of the Town Manager.

Letter dated January 15, 2003, Information Recovery and Physical Security, City of Sunnyvale.

Letter dated January 15, 2003, Information Recovery and Physical Security, City of Santa Clara, Office of City Manager.

Letter dated April 1, 2003, RE: Information System Disaster Recovery and Physical Security, City of Saratoga.

Letter dated January 17, 2003, RE: Information System Disaster Recovery and Physical Security, City of San Jose.

Letter dated January 16, 2003, RE: Information System Disaster Recovery and Physical Security, County of Santa Clara, Office of the County Assessor.

Letter dated January 23, 2003, RE: Information System Disaster Recovery and Physical Security, County of Santa Clara Department of Correction.

Letter dated March 25, 2003, RE: Information System and Physical Security, Los Altos Hills.

Letter dated January 16, 2003, RE: Information Systems and Disaster Recovery and Physical Security, Chief Operating Officer, Santa Clara Valley Transportation Authority.

Letter dated March 25, 2003, RE: Information System and Physical Security and Disaster Recovery, City of Monte Sereno, Office of the City Manager.

Letter dated December 10, 2002, RE: Information System and Disaster Recovery, County of Santa Clara, Office of the County Executive, Information Services Department.

Letter, dated November 22, 2002, RE: Information Security Policies, Chief Information Officer, SCVHHS.

Letter, dated April 14, 2003, RE: Update to Information Services Business Continuity Plan, Effective March 31, 2003, Robert C. Feldman, Chief Information Officer, Santa Clara Valley Health & Hospital System.

Meetings

Chief Information Officer, Santa Clara Valley Health & Hospital System, November 20, 2002.

Director, Business Development and Applications (and staff), Santa Clara County Information Services Department, October 23, 2002.