



**Office of Inspector General
County of Los Angeles**

**Max Huntsman
Inspector General**

**Reform and Oversight Efforts:
Los Angeles County Sheriff's
Department**

October 2016

Introduction

The Office of Inspector General (OIG) is charged by the Board of Supervisors with four primary functions:

- Monitoring the Department's operations and conditions in the jail facilities, including the Department's response to prisoner and public complaints.
- Periodically reviewing data on the Department's use of force, the Department's investigations of force incidents and allegations of misconduct and the Department's disciplinary decisions.
- Conducting periodic audits and inspections of Department operations and reviewing the quality of the Department's audits and inspections.
- Regularly communicating with the public, the Board of Supervisors and the Sheriff's Department regarding the Department's operations.

This report is a brief summary some of the OIG's activities through September 30 of this year toward fulfilling these functions.

Access by the Office of Inspector General

Since its inception, the OIG has maintained that it is critical to the success of the OIG in fulfilling these functions that the OIG have unconditional and unrestricted access to Department personnel, facilities and records.

Since the implementation of the December 15, 2015, Memorandum of Agreement to Share and Protect Confidential LASD Information and with the Sheriff's full support, the OIG has been afforded unfettered access to Department personnel, facilities and records.

Some of the specific tasks critical to oversight which the Memorandum of Agreement has enabled the OIG to perform are:

- Receive and review Watch Commander's Service Comment Report's and monitor how handled.
- Receive and review Custody Division Chiefs' Memoranda.
- Receive and review prisoner grievances and monitor how handled.
- Receive and review personnel grievances and monitor how handled.
- Review use of force investigations and monitor how handled.
- Review misconduct investigations and monitor how handled.
- Review and analyze Department responses to claims and lawsuits.
- Review and analyze Internal Affairs Bureau investigations.
- Review and analyze Internal Criminal Investigation Bureau investigations.
- Monitor, review and analyze investigations of deputy involved shootings and in-custody deaths.

- Be present during, and review and analyze the effectiveness of:
 - Critical Incident Review
 - Custody Force Response Team rollouts
 - Custody Force Review Committee
 - Executive Force Review Committee
 - Case Review
 - Shooting Review
 - Complex Case Committee
 - Gender Responsive Programming
 - Sheriff's Critical Incident Forum/Risk Management Forum
 - Inmate Death Review
 - Over Detention/Erroneous Release meetings
 - Strategic Planning (Custody)
- Be present at the Sheriff's Executive Planning Council meetings.
- Review audits conducted by Audit and Accountability Bureau involving personnel matters.
- Conduct audits of issues brought to our attention during monitoring activities.
- Access and Review LASD's Personnel Performance Index.
- Fully monitor sustainability of CCJV reforms.
- Fully monitor sustainability of other reforms initiated by the Sheriff or in response to litigation.
- Follow discipline cases from initiation through completion of civil service process.
- Review and analyze effectiveness of training conducted by the Department.

Through June 30, 2016, the OIG tracked each and every OIG request for access and the Sheriff's response. Through June 30th, 254 of 254 requests to the Department for access to investigative material, reports and evidence from completed or active investigations were granted. During this same period, 41 of 41 requests for access to the Personnel Performance Index system were granted.

The Department has placed no conditions or restrictions on access nor has any request for access been denied by the Department. Consequently, the OIG on July 1, 2016, although still recording requests for access, ceased to tally instances of compliance and instead intended to record only instances in which access might be restricted or denied by the Department. There have been no instances in which the OIG has been denied requested access.

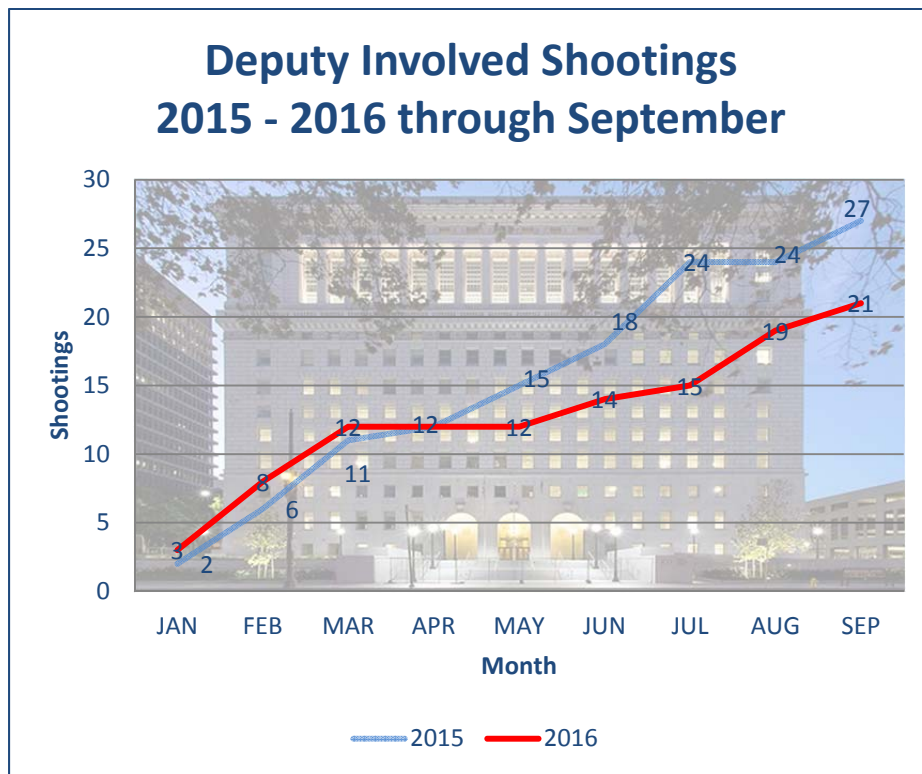
Through September 30 of this year, the OIG's presence has been accepted at all Department deliberative processes to which the OIG has requested access, including Executive Force Review Committee, Custody Force Review Committee, Critical Incident Review and other similar processes. The OIG has been included upon request in discussions with members of the command staff and advisors to the Sheriff. Access to these meetings has included access to the briefing materials reviewed by staff at the meetings. Further, the Department has on its own initiative invited the OIG to observe or participate in Department deliberative processes where the Department deems it appropriate.

Monitoring

Monitoring of the Department’s operations and the Department’s operation of the Los Angeles County jail facilities is an important function of the OIG. OIG staff is a regular presence in the jail facilities and responds to the investigations of deaths of persons which occur while in the custody of the LASD, all deputy-involved shootings, all uses of force which are the proximate cause of a person’s death or which result in significant injury and other significant custody division events.

Force Investigations

Through September 30 of this year the OIG has responded to the investigation of twenty-one incidents in which deputies discharged a firearm. In two of those shootings no one was struck by the gunshots. Nineteen of the shootings resulted in injuries and, in eleven cases, the injuries caused death. The persons at whom the shots were fired were all male, ten were Hispanic, ten were African American, and three were white. The total persons at whom deputies fired is greater than the number of shootings because in some cases the deputies fired at more than one individual.¹ Known unintentional discharges are not included in these numbers.



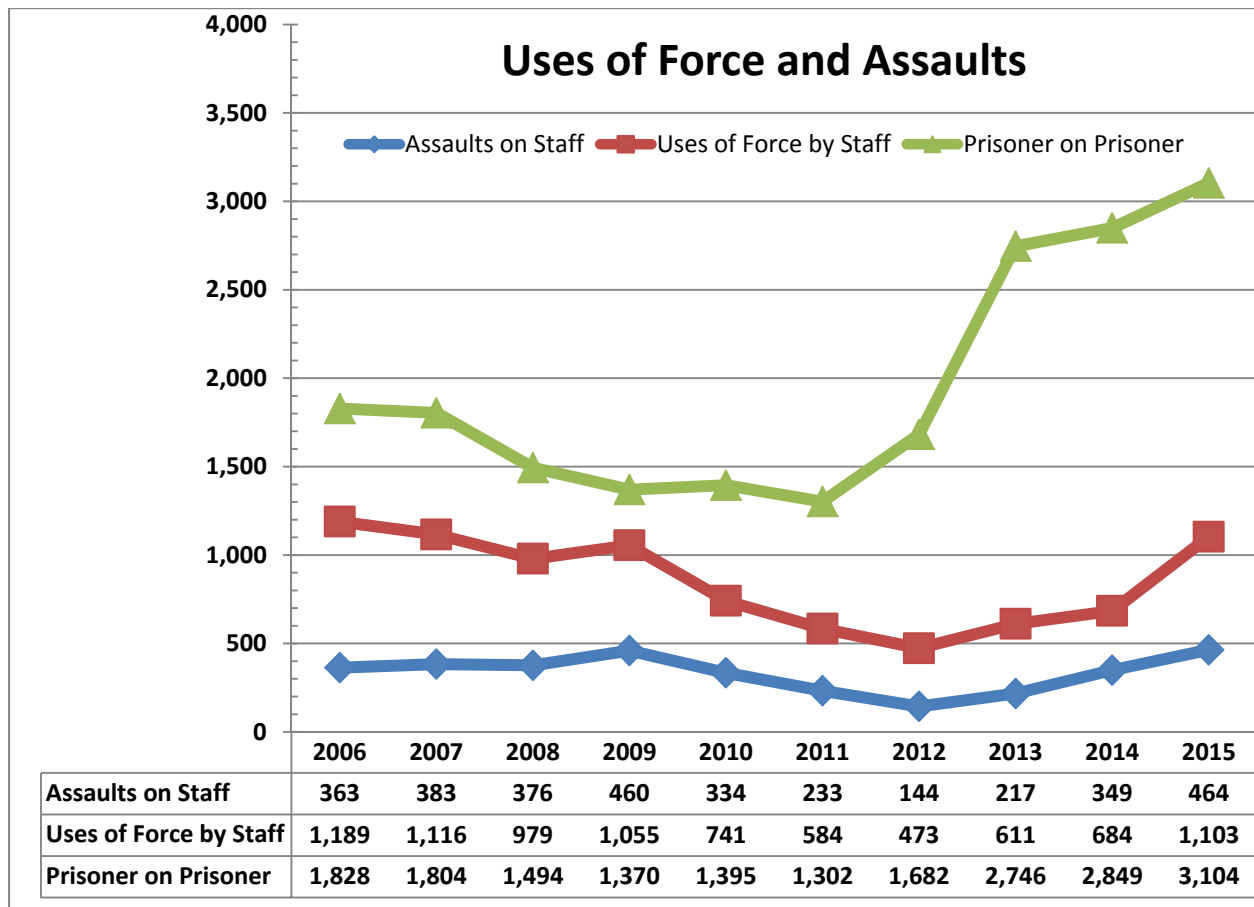
¹ The number of persons at whom shots were fired differs from the number of suspects listed in the Sheriff’s data disclosure of Deputy Involved Shootings. The OIG includes only those persons who were hit by gunfire and at whom deputies shot but missed.

Between 2010 and 2013, there was an average of 43 shootings, including hit and non-hit, by deputy sheriff’s each year. In January of 2014, after the resignation of the sitting Sheriff, the Board appointed an interim Sheriff and a new Sheriff was subsequently elected on a reform platform. In 2014 there were 33 shootings and in 2015 there were 34 shootings.

All Deputy Involved Shootings which result in injuries or death are submitted by the Department to the District Attorney’s Office for review. Through September 30 the Department reports that five of the 2016 shootings have been submitted to the District Attorney’s Office for review and, to our knowledge, are still pending a letter of opinion from the District Attorney.

Uses of Force

The OIG monitors the Department’s Custody Services Division data on use of force incidents, prisoner-on-prisoner violence and assaults on Department personnel. The chart below reflects trends in these areas over a nine year period between 2006 and 2015.



Custody Operations

As part of its jail monitoring program, OIG staff responds to investigations of in-custody deaths, reported uses of significant force and major disturbances. The OIG also conducts regular jail inspections of LASD facilities to monitor compliance with LASD policies and procedures, California Code of Regulations – Title 15² and to encourage the LASD’s alignment with national best practices. The OIG conducts physical inspections, interviews with line staff, prisoners and Custody Division command staff. Jail inspections are tracked and findings are documented in order to inform the OIG’s ongoing jail monitoring, address issues with the LASD or for purposes of drafting OIG reports to the Board of Supervisors and Los Angeles County. Through September 30 of this year OIG staff conducted 163 site visits to the Los Angeles County jails.

2016 Third Quarter CCJV Status Update

The OIG continues to monitor the Department’s implementation of the Citizen’s Commission on Jail Violence (CCJV) recommendations. Since the OIG’s *2016 Second Quarter Status Report* on the Los Angeles County Sheriff’s Department implementation of the CCJV recommendations was submitted in July 2016, the Department continues to make progress on the implementation of the remaining CCJV recommendations. The following is an update on the status of the remaining CCJV recommendations that are “In Progress” or “Partially Implemented.”

IMPLEMENTATION STATUS AND MONITORING REQUIREMENTS

CCJV Recommendations	Implemented Requires No Additional Monitoring	Implemented Requires Additional Monitoring	Partially Implemented	In Progress	Total
Use of Force	0	10	0	2	12
Management	7	7	0	0	14
Culture	0	8	0	0	8
Personnel and Training	2	8	0	0	10
Discipline	0	13	1	1	15
Total	9	46	1	3	59

Use of Force

3.8 PPI and FAST should be replaced with a single, reliable and comprehensive data tracking system.

Status: *In progress, funding approved* - No change in status since the OIG’s *2016 Second Quarter Status Report*.

² See California Code of Regulations, Title 15, “Minimum Standards for Local Detention Facilities,” Division 1, Chapter 1, Subchapter 4.

3.12 *The Department should purchase additional body scanners.*

Status: In progress

The Department reports that it is still in Phase II of the multi-phase installation of body scanners with no significant updates on installation of additional machines. As reported in the *2016 Second Quarter Status Report*, the Department experienced high levels of refusals at Pitchess Detention Center (PDC)-South facility among prisoner workers. The Department reports that through its strategic efforts, it is no longer experiencing refusals by prisoner workers at PDC-South facility.³ To combat the refusals, the Department is enforcing prisoner worker contracts which state that a prisoner’s refusal to submit to contraband screening is grounds for removal from prisoner worker status.

Facility	Objective	Status
Phase II		
Century Regional Detention Facility (CRDF)	Installation of one (1) additional body scanner	No change in status since the OIG's <i>2016 Second Quarter Status Report</i> .
Inmate Reception Center (IRC) Old Side	Installation of two (2) additional body scanners	The Department reports that it is currently submitting purchase orders to begin production of the four body scanners. The facility renovations at both IRC Old Side and Booking Front remain on target for the December 2016 completion date. The Department reports that all four body scanners will be installed in January 2017.
IRC Booking Front	Installation of two (2) additional body scanners	
Phase III		
North County Correctional Facility (NCCF)	Installation of two (2) body scanners	No change in status since the OIG's <i>2016 First Quarter Status Report</i> .
PDC-North	Installation of two (2) body scanners	No change in status since the OIG's <i>2016 First Quarter Status Report</i> .
Phase IV		
The Department reports that it is still in the process of identifying areas appropriate for placement of additional body scanners.		

Discipline

7.14 *The grievance process should be improved to include added checks and oversight.*

Status: Partially implemented

In July, the Department finalized its new prisoner grievance policy. In addition, the Grievance Coordinator compiled a prisoner grievance handbook to assist

³ As reported in the OIG's *2015 Fourth Quarter Status Report*, body scanners were installed at PDC South in September 2015.

supervisors with new grievance procedures. Due to changes required by the *Rosas, et al. v. McDonnell* (Case No. CV 12-00428 DDP) (*Rosas*), prisoner grievances and prisoner requests are now reported on separate forms. The Department reports that it is developing Spanish versions of the forms and will have them completed by the end of the year. The Spanish language sections of the form will include name, booking number, facility, housing location and date. The areas requiring the prisoner to select a grievance/request category and to describe the details of the grievance/request are in English only.

Pursuant to the *Rosas* settlement agreement, the Department revised its grievance classification categories for more specificity. This was done partly in an effort to reduce the frequency of complaints designated in the "Other" category which cannot be meaningfully analyzed by Department management in their identification and tracking of custody issues. The following categories were added to the section for grievances against staff: Use of Force, Retaliation, Harassment, and Racial or identity profiling. The OIG will continue to monitor changes to the grievance process.

The Department initiated training related to new grievance procedures, wherein trainers emphasize additional sergeant responsibilities under the new policy. Custody line sergeants and lieutenants attend the eight-hour training course, which includes classroom instruction and hands-on computer training for processing complaints through the Custody Automated Reporting and Tracking System. OIG monitors and community liaisons attended this training on September 6, 2016 and September 16, 2016.

The OIG's *2016 Second Quarter Status Report* noted that as of March 2016, 755 prisoner grievances were outstanding. As of August 31, 2016, the Department reports that there are 1237 outstanding grievances, more than half arising from Twin Towers Correctional Facility (TTCF) (684). This is a large increase from the 2015 year-to-date figure of 90 outstanding grievances at TTCF. To address the increased number of outstanding grievances at TTCF the Department reports that it is reallocating funding to equip the TTCF Grievance Team with additional personnel. The OIG will continue to monitor outstanding grievances going forward.

Last, the Department reported as of September 30 that iPad installation at Men's Central Jail (MCJ), TTCF and CRDF was ongoing as was the iPad pilot program at MCJ. The Department provided the OIG with a schedule of the iPad activation process within MCJ, which the Department anticipates will last until December. The Department reports that it will fully deploy iPads into CRDF and TTCF once issues are identified and addressed from the pilot program at MCJ. Currently, the Department reports that iPads at CRDF are fully installed in all housing areas, although not operational. At TTCF, the Department reports that iPads are installed in some housing areas, although none were operational at the time of this report.

In response to the high numbers of grievances and requests on the 9000 floor, the Department reports that it created a direct supervision pilot program in the 9500 dorm. As part of this program, the Department reported that two deputies were

assigned to work shifts inside the 9500 dormitory. The goal of the pilot was to allow personnel to respond to requests and address other issues as they arise, before they become grievances.⁴ The OIG will continue to monitor the Department's efforts to implement a direct supervision model as well as the installation and activation of additional iPads in all facilities.

7.15 The use of lapel cameras as an investigative tool should be broadened.

The Data Services Bureau (DSB) reports that construction of the communications room at PDC-South is complete. Installation of Closed Circuit Television (CCTV) cameras at the NCCF is ongoing. Currently, more than half of the cameras at NCCF are installed though these cameras must be configured before they begin recording footage. Currently, all CCTV cameras in the 600 building of the facility are recording. CCTV cameras in the 500 and 700s buildings are awaiting configuration and activation by the Department's Data Systems Bureau.

In the OIG's *2016 Second Quarter Status Report*, the OIG provided information on an audit completed by the Department's Audit and Accountability Bureau (AAB). The audit addressed the functionality of the CCTV system within Twin Tower's Correctional Facility (TTCF), compliance with the United States Department of Justice (DOJ) settlement agreement,⁵ and compliance with Department policy regarding camera monitoring and footage retention. The AAB also identified several areas for needed improvement including: (1) installation of a camera malfunction notification feature; (2) documentation of camera inspections; and (3) insufficient CCTV footage archives. The OIG continues to monitor the functionality of cameras within jail facilities including the implementation of these recommendations by AAB. The OIG will provide an update on the Department's efforts to implement AAB's recommendations in its next report.

Handling of Comments/Complaints Regarding Department Operations and Jails

The OIG has received 260 new complaints through September 30 of this year from members of the public, prisoners, prisoners' family members and friends and community organizations. Each complaint was reviewed by OIG staff. One hundred eighty of these complaints were related to the conditions of confinement within the Department's custody facilities, as shown below. The classification totals do not equal the number of complaints because many of the complaints address multiple issues.

⁴ On October 21, the Department notified the OIG that it discontinued its direct supervision pilot due to security and staffing concerns.

⁵ Settlement Agreement Section S, Use of Force, provision 83 describes the CCTV at all jail facility common areas, specifically TTCF.

Complaint/Incident Classification	Totals
Personnel Issue	
<i>Use of Force</i>	11
<i>Rude/Abusive Behavior</i>	11
<i>Discrimination</i>	10
<i>Other subjects</i>	3
<i>No discernable subject</i>	5
Medical/Dental Services	59
Disability Accommodation	36
Mental Health Services	15
Housing	14
Dietary	12
Hygiene	3
Physical Plant	3
Other Service Issue	11
No Discernible Issue	31
TOTAL	224

Twenty four complaints were related to civilian contacts with Department personnel by persons who were not in custody. The classification totals do not equal the number of complaints because some of the complaints address multiple issues.

Complaint/Incident Classification	Totals
Personnel Issue	
<i>Rude/Abusive Behavior</i>	6
<i>Unlawful Conduct</i>	6
<i>Failed to Take Action</i>	3
<i>Discrimination</i>	2
<i>Excessive Force</i>	1
Other Service Issue	13
TOTAL	31

Eighteen complaints were not about the Department or Department personnel and were referred to the appropriate agency or the complainant was directed to seek counsel. Thirty-eight of the complaints did not complain about conduct by the Department or Department personnel and did not describe the complaint with sufficient detail to refer to another agency or counsel.

Audits, Communications with the Public, the Board of Supervisors and the Sheriff

Outreach

The OIG regularly communicates with the public, the Board of Supervisors, and the Sheriff regarding the work of the OIG and the Department's operations.

OIG staff regularly attended meetings with concerned community members, including the meetings of the Public Safety & Justice Committee of the Empowerment Congress and the monthly meetings of the National Association of Equal Justice in America in Compton. The OIG also attended monthly standing meetings with the Youth Justice Coalition to address concerns regarding the conditions of confinement in the Los Angeles County jails and facilitated a meeting between coalition members and the Department's Custody Division command staff.

The Inspector General meets personally with the Sheriff on a weekly basis and apprises the Sheriff of the OIG's observations. The Assistant Inspector General who directs the work of the OIG's jail monitors also meets personally with the Sheriff regularly to share her observations.

The Inspector General and his staff attend all Board proceedings which effect or touch on the Department's operation.

Reports

Through September 30 of this year, the OIG, pursuant to Los Angeles County Code of Ordinances section 6.44.190, has issued the following public reports which resulted in discernable outcomes:

June 24, 2016	Overview and Policy Analysis of Tethering in Los Angeles County Jails
June 9, 2016	Audit of Allegation-of-Force Investigations at Custody Facilities
May 26, 2016	Analysis of the Deputy Sheriff Trainee Probationary Period: Recommendations for a Meaningful Assessment Opportunity
March 31, 2016	Community Oriented Policing: Los Angeles County Sheriff's Department
March 4, 2016	Report by the Inspector General on the Implementation of the Memorandum of Agreement to Share and Protect Confidential LASD Information
March 28, 2016	<i>Update on</i> Report by the Inspector General on the Implementation of the Memorandum of Agreement to Share and Protect Confidential LASD Information

Throughout the preparation of the “Overview and Policy Analysis of Tethering in Los Angeles County Jails” report, the Sheriff’s Department worked collaboratively with OIG staff and the *Rosas* monitors to develop fixed restraint policies which would strike the appropriate balance between the safety and constitutional rights of prisoners and the need to provide security and order in jail facilities. These policies were approved by the *Rosas* monitors and implementation began on August 31, 2016.

The OIG’s “Audit of Allegation-of-Force Investigations” made thirteen findings and thirteen recommendations. The Department agreed or concurred with seven of the recommendations and took steps to remedy the issues cited in the OIG audit. The Department noted that six of the recommendations had been implemented prior to the public issuance of the OIG audit.

In response to the “Analysis of the Deputy Sheriff Trainee Probationary Period” report, the Department immediately initiated the implementation of remedial measures which did not require additional budget allocations as outlined in the Sheriff’s response. The Department also continued a dialogue with the Inspector General regarding additional remedial steps which could be taken and has developed and presented a budget proposal to the Board for implementation of those remedial steps. The Office of Inspector General will conduct periodic spot-check audits to assess the implementation and effectiveness of these remedial steps.

The “Community Oriented Policing: Los Angeles County Sheriff’s Department” report identified the station-level community outreach efforts engaged in by the Department. This is the first step in monitoring by the OIG the implementation of these efforts and the measuring of their impact on the diverse communities the Department serves.

Additional Activities

In September, Assistant Inspector General Cathleen Beltz was a featured speaker at the National Association for Civilian Oversight of Law Enforcement conference. At the Models of Correctional Oversight session, moderated by OIG Investigator II Stacey Nelson, Ms. Beltz addressed the issues faced by the OIG and also the creation of effective accountability measures and mechanisms in the Los Angeles County Jails. NACOLE meetings are just one forum in which OIG staff members communicate with other professionals in the field to share notes and coordinate efforts where feasible. Our staff frequently communicates with LAPD OIG.

Also in September the Inspector General testified before a subcommittee of the Santa Clara Board of Supervisors. The County of Santa Clara is considering creating a civilian oversight system and requested information regarding our approaches and experiences in Los Angeles.

The OIG offered to attorneys employed in oversight agencies, attorneys with county counsel, the Department's Constitutional Policing Advisors and other personnel a California State Bar Continuing Legal Education seminar entitled Ethical Issues in Oversight.

Conclusion

The Inspector General and his staff have been pleased with the Department's efforts to identify issues and reform its Custody Services and Patrol Division policies, practices, and operations. The Sheriff remains committed to the collaborative working relationship achieved between the OIG and the Department, and his staff remains receptive to OIG recommendations and suggestions. The OIG will continue to monitor, track and report on Department critical incidents, policies and operations and its reform efforts and progress going forward.