

County of Los Angeles Office of Inspector General

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2016 SECOND QUARTER STATUS REPORT: The Los Angeles Sheriff's Department Implementation of The Citizens' Commission on Jail Violence Recommendations

June 2016

2016 SECOND QUARTER STATUS REPORT

Since the Office of Inspector General's (OIG) *2016 First Quarter Status Report* on the Los Angeles County Sheriff's Department (Department) implementation of the Citizens' Commission on Jail Violence (CCJV) recommendations was submitted on, April 19, 2016, the Department continues to make progress on the implementation of the remaining CCJV recommendations.

This report provides updates on the implementation status of the four remaining CCJV recommendations which are "In progress" or "Partially implemented," as well as Recommendations 4.12 which is "Implemented, additional monitoring required." The OIG continues to monitor recommendations that are "Implemented" with additional monitoring required. This quarter, the OIG conducted additional review of the LASD's compliance with Recommendation 6.4, "There should be a meaningful probationary period for new deputies in custody." The OIG submitted its findings, "Analysis of the Deputy Sheriff Trainee Probationary Period: Recommendations for a Meaningful Assessment," to the Board of Supervisors on May 26, 2016.

The table below reflects the implementation status and monitoring requirements of each of the five sets of recommendations. The implementation status of the recommendations remains unchanged since the OIG's *2016 First Quarter Status Report* with the exception of Recommendation 6.4, which changed from "Implemented, additional monitoring required" to "Partially implemented." This status report will be the OIG's final standalone CCJV report submission. The OIG will, however, monitor to completion the LASD's implementation of the CCJV recommendations and will incorporate discussion of CCJV related findings into its Custody Division monitoring reports. The OIG respectfully submits its 2016 Second Quarter Status Report.

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	7	1	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 First Quarter Status Report.

3.12 The Department should purchase additional body scanners.

Status: *In progress*

Body Scanner Installation

The Department reports that it is still in Phase II of the multi-phase installation of body scanners. The chart below reflects the status of body scanner installation at

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each facility, as reported by Custody Support Services. Upon installation of each machine, the Department reports that staffing will increase in accordance with the Board's approved funding.

Facility	Objective	Status
Phase II		
Century Regional Detention Facility (CRDF)	Installation of one (1) additional body scanner	Installation completed on April 23, 2016 and observed in use and operational by OIG personnel on May 17, 2016. The additional body scanner was installed in the bus bay search area.
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.		

Body Scanner Refusals

The Department reports continued body scanner refusals by prisoners. The OIG addressed the issue of body scanner refusals during the Department's pilot project in its, "Analysis of the Legal Basis for X-Ray Body Scanner Searches in County Jail Facilities," submitted to the Board of Supervisors on November 21, 2014. The

Custody Division Manual (CDM) requires that the Department conduct body scans on all new prisoners, prisoner workers, and court returnees.¹

Pitchess Detention Center-South (South) reports a significant number of body scanner refusals by prisoner workers. Department data for April 2016 indicates that South conducted 2,828 body scans on prisoner workers and recorded 4,797 refusals. Gang edicts and concealment of contraband have been cited by the Department among the reasons for continued refusals. The Department reports that it is working to identify all contributing factors to scanner refusals at each facility and the OIG will continue to monitor and report on scanner implementation and operations.

MANAGEMENT

4.12 LASD should create an Internal Audit and Inspection Division.

Status: Implemented, additional monitoring required

The Audits and Accountability Bureau (AAB) continues to work closely with Custody Division executives toward the completion of several audits. On March 24, 2016, the AAB completed its first audit of the recording, storage and monitoring of Closed Circuit Television (CCTV) operations at Twin Towers Correctional Facility (TTCF). See discussion of the AAB's audit findings under 7.15 below.

¹ CDM, Section 5-08/020.00 Custody Safety Screening Program (B-SCAN)

PERSONNEL AND TRAINING

6.4 There should be a meaningful probationary period for new deputies in custody.

Status: Partially implemented

See, "Analysis of the Deputy Sheriff Trainee Probationary Period: Recommendations for a Meaningful Assessment," May 2016.

DISCIPLINE

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

Status: Partially implemented

The Department reports that May 5, 2016, the monitors for the *Rosas, et al. v. Baca* (Case No. CV 12-00428 DDP) settlement agreement approved the proposed prisoner grievance policy. The Custody Services Division Grievance Coordinator reports that the proposed policy is currently under review by the Department's Bureau of Labor Relations and Compliance (BOLRAC) and the employee unions. Once approved by Assistant Sheriff, Kelly L. Harrington, the new prisoner grievance policy will be included in the CDM. The Department anticipates that the approval process will be completed by July 1, 2016.

The Grievance Coordinator reports that the Department is continuing to develop training curriculum related to the anticipated changes to the grievance process. The CSS is currently developing lesson plans for the supervisor's training course. The training will emphasize additional sergeant responsibilities under the new policy and will also include hands-on computer training of the Custody Automated Reporting and Tracking System (CARTS) system. The CSS reports that the

completed lesson plans were forwarded to the Custody Training and Standards Bureau at the end of May 2016.

Last quarter, the Department collected data on the number of outstanding prisoner grievances. The Department reports that in 2015, it received a total of 6,171 prisoner grievances,² 507 of which remained outstanding as of March 2016. During the first quarter of 2016, the Department reports that it received a total of 3,461 prisoner grievances, 755 of those grievances remained outstanding as of March 2016. If the increase continues, the Department projects that it will receive 13,844 prisoner grievances this year; an increase of 124% from 2015.

The Department recognizes the number of outstanding grievances as an area for concern and is developing supervisors' training on the new grievance procedures. The training would cover both the monitoring of grievance responses and timeframes for the handling of complaints. The OIG will continue to monitor the status of outstanding grievances. The Department should continue its work to improve both the timeliness of grievance responses and prisoner notification of grievance dispositions.³ Timely responses and notification of dispositions would reduce the frequency of multiple grievance submissions for single complaints.

Finally, the Department reports that it is continuing to install iPad enclosures in the TTCF, MCJ, and CRDF. The Correctional Innovation Technology Unit (CITU) reports that it has installed 70% of the iPad enclosures at CRDF and MCJ; the iPads at these two facilities will be installed by the end of August 2016. The CITU anticipates that the iPads at TTCF will be installed by the end of December 2016. The CITU has reassessed the iPad project in the northern facilities and anticipates that they will be installed by December 2017.

² According to the CDM, Section 5-12/000.00, Inmate Requests for Service and Complaints (Non-Medical/Non-Mental Health) a prisoner grievance is either a complaint or a request for service.

³ Often, grievance forms that are returned to prisoners fail to state the disposition of the complaint. The CDM requires, ". . . a sergeant shall investigate all complaints within fifteen calendar days of the complaint being filed. Upon completion, the handling sergeant shall complete the "Disposition" section of the Inmate Request/Complaint Form, obtain the inmate's signature on the white and yellow copies, and provide the yellow copy to the inmate." CDM, Section 5-12/000.00 Inmate Requests for Service and Complaints (Non-Medical/Non-Mental Health).

As iPads are being installed, the Data Systems Bureau (DSB) reports that it is simultaneously building the Inmate Data Network (IDN). The IDN consists of three separate elements to be successful. The first is networking (physical infrastructure), followed by system administration (electronic routing, controls, management), and the final element is support. The DSB reports that the physical infrastructure is complete. However, the DSB reports that the critical component of system administration, support, and overall data security review of the systems has not been implemented and does not have an identified completion date. The IDN is a separate data network that will contain information for the approximately 17,000 prisoners in LASD custody. Once fully operational, the DSB will manage both the IDN and Sheriff's Data Network.

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

Status: In progress (alternative implementation)

The DSB reports that it is continuing to configure the storage room adjacent to PDC-South to serve as the CCTV main communications room for all the servers used for data storage in the northern jail facilities. The Department has received the delivery of the network equipment and will begin network upgrades. Some cameras at NCCF, which are located in priority areas, will be functional by June 2016. The DSB reports that it remains on target to have all cameras at NCCF fully operational by December 2016. The DSB is continuing to work to expand CCTV installation to PDC-North.

This quarter, the AAB completed its first audit of the CCTV system at Twin Towers Correctional Facility (TTCF). The AAB analyzed the functionality of the CCTV system, its compliance with the United States Department of Justice (DOJ)

settlement agreement,⁴ and compliance with Department policy regarding camera monitoring and footage retention.

The AAB found that CCTV systems at TTCF were generally operating well and that the Department is in substantial compliance with the DOJ provision that requires installation of 95% of the cameras in the TTCF common areas by September 30, 2015.³ 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 absence of a camera malfunction notification system impacts LASD's ability to comply with its policy that requires "continuous" recording.⁵ Currently the CCTV system does not notify the watch commander when a camera malfunctions or video surveillance is interrupted. This impedes valuable real-time video surveillance of prisoners and staff as well as post incident analysis in use of force investigations.

The AAB recommends the installation of a CCTV malfunction notification system to quickly identify interruptions in video surveillance and to allow personnel to initiate repairs. The AAB also recommends compliance with LASD policy which requires each shift's Watch Commander to notify the designated video manager of any CCTV malfunctions⁶ and to document notifications in the Watch Commander's Log.

The OIG agrees with the AAB's recommendation for a notification system, however, the notification system would not identify camera lens obstructions. This quarter, the OIG received three separate notifications of lens obstructions or non-functionality, each of which would have captured uses of force. The issue of CCTV lens obstruction is best addressed with consistent camera inspections.

The AAB audit revealed non-compliance with camera inspection requirements at TTCF. Of the 86 cameras reviewed, the audit found that less than half (48.8%)

⁴ Settlement Agreement Section S, Use of Force, provision 83 describes the CCTV at all jail facility common areas, specifically TTCF.

⁵ CDM Section 7-06/010.00, Video Recording procedures, Retention of Recordings.

⁶ The CDM Section 7-06/010.00, Video Recording Procedures, Fixed Video Equipment Inspections states that the watch commander shall notify the designated video manager of any malfunctions.

were inspected during all three shifts. Regular equipment inspections would protect against both camera malfunctions and lens obstructions.

Lastly, the AAB found violations of the CDM mandate for the twelve-month retention of video recordings.⁷ Only 48 of the 86 (55.8%) camera recordings were archived for twelve months. AAB correctly notes that the failure to retain footage for the mandated period can impede future investigations or legal inquiries and recommends compliance with current policy.

The OIG agrees with the AAB's recommendations and further recommends that the AAB conduct similar audits at other facilities once the Custody Division has had an opportunity to take corrective action at any applicable facilities on AAB's TTCF recommendations. The OIG frequently utilizes the Department's video surveillance footage in its Custody Division monitoring and will continue to closely monitor CCTV functionality in all LASD facilities.

⁷ CDM Section 7-06/010.00 , Video Recording Procedures, Retention of Recordings.