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To: Anita M. Bock, Director  
Department of Children and Family Services

From: J. Tyler McCauley  
Auditor-Controller

Subject: **REVIEW OF INTERNAL AFFAIRS UNIT – PHASE I**

We have completed the first phase of our review of the Department of Children and Family Services (DCFS) Internal Affairs/Civil Rights & Affirmative Action Division. The Division is comprised of two sections: Internal Affairs and Civil Rights & Affirmative Action. We initiated the review this fall, at your request. The first phase focused on an analysis of the Division's case tracking systems, as well as a determination of the Division's backlog of cases, by case type and age. The second and final phase will include a review of the Division's placement in the organization, its spans of responsibilities, and the appropriateness of the level and number of staff. We will complete this phase in spring 2002.

As part of our review, we interviewed all Internal Affairs/Civil Rights & Affirmative Action staff and staff from the County's Office of Affirmative Action Compliance (OAAC). We also reviewed applicable documents related to the case assignment and tracking processes, and obtained computer disk copies of case listings for analysis and reconciliation purposes.

**REVIEW SUMMARY**

**Case Tracking Systems**

The two sections maintain case listings in different formats, either Microsoft Excel or Microsoft Word, neither of which constitutes a database. Because the case information is not in a database, there is no ability to develop automated management reports. At this time, management does not have the information necessary to manage its business well. For example, management is unable to easily sort and analyze case data by assignment type, investigator, length of time the case has been open, or referral source. As well, we found that the Division does not use a time management system. Investigators do not allocate their daily work hours to each of their open cases, thereby enabling management to establish time standards by case type and a time accountability mechanism for investigators.

Management needs to implement an automated case tracking database, and a related time management system. Management should also develop automated management reports sourced from the database, and review the reports on a timely basis to monitor the status of case completion and overall Division performance to identify problem areas for corrective action.

### **Case Backlog**

We found that 258 cases were open in the Internal Affairs section at February 2002, 191 (74%) of which were over six months old. Half of these 191 are Child Fatality and MacLaren cases. It is important to note that these cases are cross-reported and investigated by law enforcement agencies. The role of DCFS Internal Affairs is primarily to assess violations of departmental policy and staff negligence. We reviewed 10 of these cases that had been open for a year or more and found that, in general, delays were due to excessive caseloads caused by unfilled investigator positions. DCFS has not established criteria upon which an incoming case would be analyzed and prioritized. In the absence of such criteria, we found that some investigators processed their cases on a "first-in, first-out" basis, despite the severity of the allegation (e.g., sexual abuse). Management should establish specific criteria for analyzing and prioritizing cases and prioritize cases based on these criteria. Further, as additional investigators were hired in the second quarter of fiscal year (FY) 2001-02, management should direct staff resources to clear the backlog according to the priority of the cases.

We were unable to determine the case inventory in the Civil Rights & Affirmative Action section due to a number of significant deficiencies in the manner in which that section has tracked its cases.

These and other findings are discussed in detail below.

## **COMMENTS AND RECOMMENDATIONS**

### **Background**

The Internal Affairs/Civil Rights & Affirmative Action Division consists of two sections: Internal Affairs and Civil Rights & Affirmative Action. Internal Affairs, which primarily investigates and/or evaluates allegations or occurrences of staff misconduct, child abuse, child fatalities and other DCFS matters, currently has seven investigators and one support staff. The section currently reports to the Director, DCFS. (Prior to spring 2001, the section reported to the Director of Human Resources, DCFS.) In summer 2001, the Director, DCFS, transferred the Civil Rights & Affirmative Action section from Human Resources to the Internal Affairs/Civil Rights & Affirmative Action Division. The Civil Rights & Affirmative Action section, which investigates civil rights, disability, sexual harassment, discrimination and employee retaliation allegations, has seven investigators and two support staff. Section head positions in each section are currently filled.

### Review of Case Management Systems

We noted deficiencies in the manner in which Internal Affairs and Civil Rights & Affirmative Action sections track and monitor their cases. Specifically:

- **Internal Affairs**

The Internal Affairs section secretary tracks cases in several Microsoft Excel spreadsheets: a consolidated spreadsheet of all open cases, a consolidated spreadsheet of all closed cases, and individual spreadsheets for each investigator. Upon receipt of a case, usually by facsimile or telephone, the secretary inputs the case into the consolidated spreadsheet of open cases and assigns the case to an investigator on a rotation basis. The Division's manager then reviews the case, overriding the investigator assignment if he believes necessary. When the assignment of the case is finalized, the secretary inputs the case information into a separate Excel spreadsheet for the assigned investigator. After the case is complete, the secretary enters the case data into a separate spreadsheet of closed cases. In our discussions with investigator staff, we also learned that each investigator maintains a separate listing of his or her cases, in different computer formats.

- **Civil Rights & Affirmative Action**

The case assignment in this section is similar to that in Internal Affairs. In this section, an intermediate typist clerk tracks all cases, both open and closed, in two Microsoft Word documents, one for Employee Complaints and a second for Client Complaints.

Neither the Microsoft Excel nor Word listings constitute databases; they are simply typed listings of case information. Because the Division does not maintain case information in a database, management is not able to develop automated management reports. For example, management is unable to easily sort and analyze case data by assignment type, investigator, age or referral source. As we experienced from our analysis and reconciliation of the case listings (discussed in the following sections of this report), it is an extremely arduous task to compile this information manually from the listings in their present forms.

Finally, we found that there is no time management component to these case listings. Investigators do not allocate their daily work hours to each of their active cases, thereby enabling management to determine the time investigators spend on each of their cases. Without this information, management is unable to develop time standards by case type and ensure staff time is used productively. Although staff indicated that certain case types take longer to clear than others, these statements are not based on an analysis of hard data.

**Automated Case Tracking/Reporting System**

DCFS management should instruct the Department's Management Information Division to work with the Division to develop and implement an automated case management system. The system could be developed in a standard database product like Microsoft Access, or through the customization of "off the shelf" software, and should be on the Unit's local area network (LAN) with "write" access limited to managers and data entry staff and "read only" access given to investigators. At a minimum, the system should automatically assign case numbers and investigators, and include, among other things, fixed, pre-defined fields for referral source, case type, investigator, date of referral, names and employee numbers of alleged parties, and status.

The Civil Rights & Affirmative Action section must comply with various federal, State and County deadlines for the investigation of its cases and forwards the results of some of its cases to another investigatory agency for review. Because of this, the case management system should also include fields to identify important deadlines and, if applicable, the date the Division forwarded the case to another investigatory agency and the date the agency notified the Division the case was "closed." This would assist management in monitoring for compliance with statutory requirements and determining responsibility for any processing delays.

The ability of investigators and management to query and analyze data, in either an ad hoc or a regular fashion, is also essential. For example, when investigators receive a case, they could query the database to determine if the alleged party has been involved in other cases. Management also needs the ability to develop automated management reports. At the minimum, these reports should provide information on cases in inventory by case type, age, referral source and case completion times compared to statutory requirements. Through interface with the time management system, reports should also provide information on the total hours charged to each case and the average hours per case type. DCFS management could review the reports on a timely basis to monitor the status of case completion and overall Division performance.

**Recommendations****Department management:**

- 1. Develop and implement an automated Internal Affairs/Civil Rights & Affirmative Action case management system with a time management component.**
- 2. Develop automated management reports sourced from the system.**
- 3. Review the management reports on a timely basis to monitor the status of case completion and overall Division performance.**

### Analysis and Reconciliation of Case Backlogs

In Internal Affairs, we determined the case inventory by case type, and the length of time these cases had remained open since first assigned to investigators. We were unable to perform similar analyses of the Civil Rights & Affirmative Action cases due to significant problems with their case listings.

#### Internal Affairs

We manually identified 258 cases in inventory at February 2002. As shown in Table 1, 38 (15%) of these cases required only completion of a child fatality fact sheet for the Inter-Agency Council on Child Abuse and Neglect (ICAN). (Effective summer 2001, ICAN no longer requires the Department complete the fact sheets on new child fatalities.) Of the 258 total cases in inventory, we found that 191 (74%) were over six months old. Half of these 191 are Child Fatality and MacLaren cases. Thirty five (14%) of the 258 cases have not been cleared in two years or longer; the longest of these was two cases that were in inventory for approximately 3 years.

**Table 1**  
**Department of Children and Family Services**  
**Internal Affairs Case Inventory**  
**By Case Type and Age**  
**(February 2002)**

| CASE TYPE                        | DISTRIBUTION BY AGE (MONTHS) |           |           |           |            |           |          | TOTAL      | % OF TOTAL |
|----------------------------------|------------------------------|-----------|-----------|-----------|------------|-----------|----------|------------|------------|
|                                  | ≥0<br><3                     | ≥3<br><6  | ≥6<br><9  | ≥9<br><12 | ≥12<br><24 | ≥24       | OTHER    |            |            |
| CHILD FATALITY - INVESTIGATIONS  | 4                            | 1         | 10        | 11        | 11         | 14        | 2        | <b>53</b>  | 21%        |
| CHILD FATALITY – ICAN FACT SHEET | 0                            | 1         | 4         | 12        | 14         | 7         |          | <b>38</b>  | 15%        |
| MACLAREN                         | 16                           | 14        | 20        | 5         | 16         | 9         |          | <b>80</b>  | 31%        |
| INTERNAL INVESTIGATION           | 8                            | 14        | 12        | 8         | 20         | 2         | 3        | <b>67</b>  | 26%        |
| LITIGATION                       | 0                            | 2         | 6         | 1         | 5          | 3         |          | <b>17</b>  | 7%         |
| OTHER                            | 2                            |           | 1         |           |            |           |          | <b>3</b>   | 1%         |
| <b>TOTAL</b>                     | <b>30</b>                    | <b>32</b> | <b>53</b> | <b>37</b> | <b>66</b>  | <b>35</b> | <b>5</b> | <b>258</b> | 100%       |
| % OF TOTAL                       | 12%                          | 12%       | 21%       | 14%       | 26%        | 14%       | 2%       | 100%       |            |

Source: Internal Affairs, Microsoft Excel spreadsheet of open cases, February 2002.

Note: In our reconciliation, we included as "Other" five cases for which staff did not include a case assignment date.

It is important to note that Child Fatality and MacLaren cases are cross-reported and investigated by law enforcement agencies. The role of DCFS Internal Affairs in investigating these cases is primarily to assess violations of departmental policy and staff negligence. Specifically, Internal Affairs conducts interviews with involved parties,

reviews incident reports completed by law enforcement agencies and liaises with those agencies as necessary, and determines staff compliance with departmental policies.

We reviewed ten cases (five Child Fatality and five MacLaren) that had been open for a year or more to determine the reason(s) for the delay in closing these cases timely. In general, investigators said the delays were due to excessive caseloads. DCFS has not established criteria upon which an incoming case would be analyzed and prioritized, based on a preliminary assessment of the case. For example, the Department may give a high priority to cases that involve allegations of sexual abuse, that are referred from the Board of Supervisors, or that are repeat allegations against a social worker. In the absence of such criteria, it has been the responsibility of each investigator to determine how to prioritize his or her caseload, if at all. In our case review, we found that some investigators did perform a preliminary assessment of the case and, if it involved an allegation of sexual abuse, prioritized the case. Other investigators performed no such assessment and simply processed the cases on a "first-in, first-out" basis. Management should establish specific criteria to prioritize cases, and require investigators to perform a preliminary assessment of cases and prioritize cases based on these established criteria.

Investigators also stated that, in general, they give a low priority to cases involving allegations at MacLaren because in the great majority of these cases the investigators are unable to substantiate the allegations. Despite the historic resolution of MacLaren cases, investigators should conduct all their investigations in a fair and impartial manner, without predisposition to the investigation's outcome. Management should emphasize this in its training of investigators.

Finally, as management hired several additional investigators in the second quarter FY 2001-02, management should direct staff resources to clear the cases that have been open six months or longer according to the priority of the cases.

### **Recommendations**

#### **Department management:**

- 4. Establish specific criteria against which investigators should prioritize cases based on a preliminary assessment of the case and prioritize the existing caseload.**
- 5. Emphasize in its training that investigators should conduct all their investigations in a fair and impartial manner, without predisposition to the investigation's outcome.**
- 6. Direct staff resources to clear the cases in the Internal Affairs section that have been open for six months or longer according to priority of the cases.**

**Civil Rights & Affirmative Action**

As mentioned earlier, the Civil Rights & Affirmative Action section maintains two distinct case listings in Microsoft Word, one for Employee Complaints and a second for Client Complaints. Consolidated, there were 384 cases on these listings at October 2001. However, as outlined below, there were a significant number of deficiencies in the maintenance of these listings, which prevented us from determining with any degree of certainty the number of open cases in inventory, and their respective assignment dates.

- The case listings did not contain an “open” or a “closed” field, which prohibited us from tallying the number of open and closed cases.
- We were unable to determine the nature of many employee complaints because staff had not completed the complaint description field.
- Many cases did not have completed case assignment fields, so were unable to determine for how long these cases had been in inventory.

Management should require staff to update the listings for all open Civil Rights & Affirmative Action cases and ensure all fields are completed. Staff should then maintain this on an ongoing basis, until the Section migrates to the automated case management/reporting system discussed earlier.

**Recommendation**

- 7. Department management require staff to update the Civil Rights & Affirmative Action case listings for all open and ensure all fields are completed. Staff should then maintain this on an ongoing basis, until the Section migrates to the automated case management/reporting system.**

**Acknowledgement**

We thank DCFS staff for their cooperation and assistance during our review. We reviewed our report with your staff and they concur with our findings and recommendations.

If you have any questions, please contact me, or your staff may contact DeWitt Roberts at (213) 974-0301, or Joseph Kelly at (213) 974-0340.

JTM:DR:JK

c: Board of Supervisors  
David E. Janssen, Chief Administrative Officer  
Lloyd W. Pellman, County Counsel  
Audit Committee