LEROY D. BACA, SHERIFF

County of Los Angeles
Sheriff's Department Headquarters
4700 Ramona Boulevard
Monterey Park, California 91754-2169

November 1, 2011

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
Los Angeles, California 90012

Dear Supervisors:

STATUS OF RECOMMENDATIONS MADE IN THE OCTOBER 18, 2011, BOARD OF SUPERVISORS' MEETING REGARDING THE MERRICK BOBB AND OFFICE OF INDEPENDENT REVIEW REGARDING THE JAIL SYSTEM

On October 18, 2011, your Board requested that the Sheriff's Department (Department) report back on the motion to immediately implement the recommendations previously made by Special Counsel Merrick Bobb and the Office of Independent Review. In addition, your Board instructed the Department to work with the Chief Executive Office to immediately study the feasibility of purchasing Officer Worn Video cameras for all custody personnel to use and to identify potential funding for this purpose. Attached is a current update on each recommendation.

Should you have any questions or require additional information, please contact me or Assistant Sheriff Cecil W. Rhambo, Jr., at (323) 526-5065.

Sincerely,

LEROY D. BACA
SHERIFF

LOS ANGELES COUNTY SHERIFF'S DEPARTMENT

Leroy D. Baca, Sheriff

STATUS OF RECOMMENDATIONS MADE IN THE OCTOBER 18, 2011, BOARD OF SUPERVISORS MEETING REGARDING THE MERRICK BOBB AND OFFICE OF INDEPENDENT REVIEW REGARDING THE JAIL SYSTEM

Our Mission®

To transform the culture of our custody facilities in order to provide a safe, secure learning environment for our personnel and the inmates placed in their care. We strive to empower our personnel to provide a level of professionalism and service, consistent with our "*Core Values*."

"Until all deputies feel a sense of professional accomplishment while providing sensible and constitutionally established services to those in our care, our success as a department is not accomplished."

RECOMMENDATIONS BY MERRICK BOBB AND OFFICE OF INDEPENDENT REVIEW REGARDING THE JAIL SYSTEM

COUNTY OF LOS ANGELES - SHERIFF'S DEPARTMENT

The purpose of this document is to provide a status to the recommendations by date, title, prepared by Special Counsel Merrick J. Bobb, the Office of Independent Review, and the Board of Supervisors.

I. Install surveillance cameras at the Men's Central Jail, the Inmate Reception Center and the Twin Towers within 30 days and develop a plan to purchase and install surveillance cameras at the remaining jail facilities.

The Board of Supervisors approved a plan for jail security enhancements to include close circuit television (CCTV) at Men's Central Jail (MCJ). This plan is proposed to reduce risk and mitigate liability concerns. This CCTV system will work as a passive recording system and will be actively monitored by key personnel, including real time monitoring. All cameras will show common areas, excluding interior cell spaces or any areas that inmate's access for personal needs, such as showering. The Department has started the installation and assessed the other areas of critical need. Currently, all camera recordings are being retained for 30-days pending the installation of new servers, which will allow up to 25 months of recordings to be stored. The new servers are expected to be installed ending December 2011.

The Sheriff's Department has considered the priorities and is proposing to implement this project in phases:

Phase I - Completed

Sixty-nine (69) cameras have been installed and are monitoring the most critical high-risk areas of the 1700/1750 high security area, 2000 housing area, and the 3000 housing area of MCJ in all module entries and walkways including the second floor mezzanine areas. This work was completed October 31, 2011. These cameras were previously purchased at a cost of $157,530.

Seventeen (17) cameras were purchased separately at a cost of $17,000. They are installed in the Inmate Reception Center Booking Front area.

Sheriff's Facilities Services Bureau (FSB) provided labor for installation at a cost of $109,060.

Phase II

On October 25, 2011 a Purchase Order was issued to a vendor to procure three hundred (300) additional cameras at a cost of $308,306.25.

The three hundred (300) cameras will be installed in MCJ Old Side's 1000, 2000 and 3000 for enhanced coverage to phase I; MCJ New Side's 4000, 5000 and 9000; and Twin Towers Correctional Facility Tower I's floors 5, 6 and 7. These areas were identified based on the number of reported force incidents occurring in those locations.

Labor cost for this phase is estimated at $484,000 and installation is estimated to take five months.

Data Systems Bureau (DSB) is working in conjunction with the Chief Information Office (CIO) to develop the specifications for the data storage system. The system will be sized to capture and store 25 months of CCTV video. It is estimated this system will cost $4,000,000. The system will have the capability of expansion should the need arise.

II. Eliminate the use of heavy flashlights as batons to subdue inmates.

The Sheriff's Department is currently conferring with the Association for Los Angeles Deputy Sheriffs (ALADS) in regard to eliminating heavy flashlights. An analysis for alternative flashlights is being conducted, which includes consulting with other law enforcement agencies to identify viable alternatives.

Note: An analysis of the force used involving a flashlight, as an impact weapon, occurred less than two percent during the year 2010.

III. Eliminate the use of "steel-toe" shoes.

On October 24, 2011, the Sheriff's Department made revisions to the existing "Footwear" policy (3-03/225.00) to strictly prohibit "steel toe" boots.

Research of existing personnel has shown that there is not a practice for personnel to wear "steel toe" boots; however, a section was added to existing policy strictly prohibiting "steel toe" boots.

IV. Revise the Policy on Head Strikes with Impact Weapons to forbid all head strikes, including, but not limited to, head strikes against fixed objects such as floors, walls or jail bars, unless the standard for lethal force has been met.

On October 10, 2011, the Sheriff initiated a new policy "Force Prevention Policy" (3-02-035.00) which provides directions for personnel relating to respect based treatment of incarcerated individuals. (Attachment A)

On October 26, 2011, the Sheriff's Department has also made additions to the existing "Unreasonable Force" policy (3-01/025.10) to strictly prohibit head strikes against a hard object: "using force specifically intended to incapacitate a suspect or inmate by striking their head against hard, fixed objects such as roadways, cement floors, walls, jail bars, etc., or by deliberately kicking them in the head with a shod foot, or by deliberately striking their head with a knee while they are on the ground, will be subject to the same standard."

Additionally, the new Custody Force Response Team has established criteria to respond to any head strike, whether strike initiated by personnel, or by contact with floors, walls or other hard objects.

V. Rotate Jail Deputies between floors at Men's Central Jail and to other jail facilities at no less than six-month intervals.

On October 28, 2011, Custody Division issued Policy Directive 11-005, "Mandatory Rotation of Personnel," requiring all Custody Division unit commanders to develop a unit order requiring job assignments be rotated for all personnel working line positions in the jail no less than every six months. Positions requiring specialized training or experience shall be identified by each unit commander. Prior to implementation, all unit orders require approval of the Custody Division Chief.

VI. Enforce the Anti-Retaliation Policy to prevent Sheriff deputies from retaliating against inmates speaking with legal representatives or inmate advocacy groups or for expressing dissatisfaction with jail conditions.

In August 2011, the Department made revisions to the existing "Treatment of Inmates (5-12/005.00) policy to prevent deputies from retaliating against inmates. All staff assigned to Custody and Correctional Divisions were provided a formal briefing of the revisions to the policy. The briefing began August 4, 2011, and continued for a two-week period. In addition, the Department has redistributed the policy on October 25, 2011, for another two-week recurring briefing to ensure each staff member is fully aware of the expectations of the policy and have mandated quarterly recurring briefings be conducted.

VII. Interviews of inmates who make claims of excessive force should not be conducted by, or in the presence of, the deputies or their supervising sergeant involved in the alleged use of force.

On October, 26, 2011, the Sheriff's Department made revisions to the existing "Use of Force Reporting and Review Procedures" policy (5-09/430.00) ensuring privacy during force interviews: "Personnel involved in the use of force, either as

a participant or a witness, including supervisors directing force, shall not be present when the interview is conducted."

In addition, the new Custody Force Response Team has the responsibility to immediately assume control of the investigation and initiate an internal investigation if any policy violations are observed.

VIII. **Interviews of inmates alleging use of force and any witnesses must occur as soon as feasibly possible, but no later than within 48 hours of the incident.**

On October, 26, 2011, the Sheriff's Department made revisions to the existing "Use of Force Reporting and Review Procedures" policy (5-09/430.00) directing supervisors to conduct interviews within 48 hours: "Whenever a supervisor is notified of an alleged use of force involving a suspect or inmate, the supervisor shall fulfill his obligations to conduct interviews as required by this policy as soon as feasible, but no later than 48 hours after the notification."

IX. **Develop a prioritization process for Use of Force Investigations to ensure that the most severe incidents are completed within 30 days and that all others are completed within 60 to 90 days.**

On October 24, 2011, the Sheriff's Departments developed a new Custody Force Response Team Policy (attachment B) establishes new criteria for force review. The new categories of force and the Response Team ensure that more severe force cases are externally evaluated and completed within 30 days. At that time they are reviewed by the newly formed Custody Force Review Committee (attachment C).

X. **Develop a plan for more intense supervision that requires jail sergeant to directly supervise jail deputies, including walking the row of jail cells and floors and responding as soon as possible to any notification of interaction where force is being used on an inmate.**

On October 27, 2011, the Department delivered a letter to the Chief Executive Officer requesting additional supervisory staff in the jails. However, the Department felt it was imperative to immediately increase the staffing at Men's Central Jail. Effective November 6, 2011, Men's Central Jail will have two sergeants per floor, 19 in total to cover both Day and PM shifts.

XI. **Immediately mandate that all custody medical personnel report all suspicious injuries of inmates to the Internal Affairs Unit or the Captain of the jail facility where the inmate is housed.**

XI. Immediately mandate that all custody medical personnel report all suspicious injuries of inmates to the Internal Affairs Unit or the Captain of the jail facility where the inmate is housed.

On October 28, 2011, the Sheriff's Departments Medical Services Bureau revised the "Injury/Illness Report Inmate" policy (M206.09) to include a provision requiring medical staff to advise the facility watch commander in the event an inmate reports/alleges that their injuries are the result of a force used by a Department employee.

XII. Report back on the role of the new Jail commanders and how they will be used to reduce jail violence.

The new Jail Commanders are overseeing the Commander Management Task Force (CMTF), which is comprised of four commanders, eight lieutenants, eight sergeants, and four support staff. See organizational chart, attachment D.

The CMTF Mission is to assess and transform the culture of the custody facilities in order to provide a safe, secure learning environment for our Department personnel and the inmates placed in the Department's care. The CMTF's purpose is to empower Department personnel to provide a level of professionalism and serve the needs of inmates consistent with the Department's "Core Values."

The CMTF's responsibilities and goals include promoting community trust, reducing jail violence by changing the deputy culture of the custody environment, encouraging respect based communications with inmates, review and implement new training for staff assigned to the jails, prepare and revise all directives/policies necessary to implement Special Counsel Merrick Bobb/Office of Independent review recommendations, analyze force incidents and developing and implementing a custodial career path.

A "CMTF Strategic Plan" and timeline is attachment E.

The CMTF has eight lieutenants that work directly in accomplishing the goals set forth by the Sheriff and Commanders. The eight sergeants are comprised as a jail force "roll-out" team (Custody Force Response Team) who will oversee, mentor and review all significant force cases that meet a particular criterion, yet do not rise to the level of an Internal Affairs Bureau for investigation. For further information on the Custody Force Response Team, see policy under attachment B.

Two documents are attached show the number of force incidents from January 2011, to current and Force Year to Date from 2007 to current. (Attachment F)

XIII. Sheriff to work with the Chief Executive Office to immediately study the feasibility of purchasing Officer Worn Video cameras for all Custody personnel to use, to identify potential funding for this purpose, and develop appropriate policies and procedures for the use of these cameras. Policies should include a requirement that custody personnel record all interactions with inmates, including Title 15 checks, any movement throughout the jail facilities and any use of force. Each failure to record or immediately report any use of force against inmates must be appropriately disciplined.

The Sheriff's Department is currently working with the Chief Executive Office on a study of utilizing deputy worn video cameras for all custody personnel. Three video cameras have been identified to date and the Department is currently evaluating their abilities to function in this capacity.

XIV. Consider the feasibility of targeted and random undercover sting operations performed in custody facilities to ensure deputies are working within policy.

The Sheriff's Department is currently reviewing this suggestion.

XV. Consider a "roll-out team" to investigate when there is a use of force in a custody facility.

The Sheriff's Department has created a Custody Force Response Team (CFRT), comprised of eight sergeants and a lieutenant, who are tasked with responding to custody facility force incidents. The Task Force has created a set of criteria that mandate facility watch commanders to contact the CFRT and request a response. The CFRT sergeant will oversee and assist in the force documentation for the facility. In the course of reviewing the incident, the Response Team Sergeant shall give specific direction to the handling supervisor. If any policy violations are discovered, the CFRT will immediately assume responsibility of the force investigation and initiate an internal investigation. (Attachment B)

All incidents requiring a CFRT response will be reviewed by a newly formed Custody Force Review Committee (CFRC) comprised of three Custody and Correctional Services Commanders. The CFRC has the authority to order additional investigation, make recommendations, or request an Internal Affairs Investigation if there appears to be a possible violation of Department policy. (Attachment C)

XVI. Report back in 30 days on the hiring standards for deputy sheriffs and how they changed during the last hiring push.

In February 2008, the Office of Independent Review issued a report on Sheriff's Department's hiring standards. Since that date, the Department has implemented and reported back on the recommendations. (Attachment G)

XVII. Consider a two-track career path for deputies, patrol deputies and custody deputies.

The Department is currently meeting with ALADS on a policy to create a custody career track for professional and sworn staff. Moreover, the study will include supervision and command positions. The Department is also exploring options of creating a custody deputy examination and eliminating the pre-214 policy, which mandated all deputy personnel transfer to a patrol assignment.

As a comprehensive analysis of these options is being explored, effective October 28, 2011, the Sheriff's Department has authorized custody personnel to initiate extensions if they desire to remain in their current assignment. This will increase the tenure and experience of those wishing to remain in a custody assignment while reducing the length of time deputies, who wish to transfer to a patrol assignment, serve in custody.

XVIII. Review existing policy of assigning new deputies to custody functions, specifically, the length of time spent in custody and the hiring trend as its primary determining factor, and revise the policy to reduce the length of time deputies serve in custody.

The Department is currently meeting with ALADS on a policy to evaluate a variety of permanent options that will ultimately reduce the length of time deputies serve in custody.

Effective October 28, 2011, the Sheriff's Department has authorized custody personnel to request an extension if they desire to remain in their current assignment. This will increase the tenure and experience of those wishing to remain in a custody assignment while reducing the length of time deputies who wish to transfer to a patrol assignment serve in custody.

Attachments

A - Force Prevention Policy

B - Custody Force Response Team Policy

C - Custody Force Review Committee

D - Commander Management Task Force Org Chart

E - Strategic Plan and Timeline

F - Use of Force Documents

G - Hiring Standards

Attachment A

LOS ANGELES COUNTY SHERIFF'S DEPARTMENT

CUSTODY DIVISION MANUAL

New Custody Division Manual section proposed by the Sheriff

3-02/035.00 FORCE PREVENTION POLICY

Every Custody deputy and staff member shall view their professional duties in the context of safety for themselves and the inmates.
The Department's duty, under Constitutional law, is to not violate the law in order to enforce the law. Unreasonable force is a violation of the law.

It is the Department's responsibility to prevent violence whenever it appears possible. An analysis of force incidents has established that verbal disrespect between inmates and deputies is a factor that leads to aggressive behavior by either the deputy or the inmate. Whenever practical:

- Deputies confronting an uncooperative inmate shall call a supervisor and seek guidance that is aimed at tactical de-escalation of the situation. The supervisor will endeavor to calm the situation and use as much time as it takes to manage the inmate's verbal aggression.

- Deputies facing an uncooperative inmate shall remain calm during such occasion and not escalate to an emotional level that violates the Department's Core Values.

- Inmates themselves have a code of respect in order to avoid conflicts and violence. Whenever a deputy speaks to an inmate in a disrespectful way it can cause turmoil in the mind of an inmate which can lead to verbal aggression. Deputies will endeavor, in these cases, to de-escalate verbal conflicts and seek assistance as required by this policy.

When force must be used, deputies and staff shall endeavor to use restraining methods, rather than depend on strikes to subdue an inmate, unless necessary.

Our collective and individual goal is to prevent force through thoughtful communication that ensures respect.

LOS ANGELES COUNTY SHERIFF'S DEPARTMENT

CUSTODY DIVISION MANUAL

Proposed addition to the Custody Division Manual

Custody Force Response Team (CFRT)

The Sheriff's Department has created a Custody Operations Division, Custody Force Response Team, whose goal is to ensure high quality force investigations through incident oversight and investigative evaluation. The Custody Force Response Team (CFRT) will be comprised of sergeants, designated to respond to specific force incidents, where they will monitor various aspects of the inquiry, including but not limited to: interviewing participant employees, inmates, and witnesses, examining any video or evidence and monitoring the facility supervisor as they conduct their inquiry.

The Response Team Sergeants shall act as an on-scene resource for the handling supervisor: providing information, guidance, analysis and recommendations. In the course of reviewing the incident, the Response Team Sergeant may give specific direction to the handling supervisor, if appropriate. The facility supervisor has the primary responsibility of handling and documenting the force incident; however, if the CFRT discovers that a facility supervisor has potentially violated policy during the initial investigation process, the CFRT will immediately assume responsibility for the force investigation and will be responsible for forwarding a request for an administrative (internal) investigation, through proper channels.

In examining force incidents, Response Team Sergeants will pay particular attention to events that precipitated the use of force and the tactics used. In incidents where multiple employees are participants, additional focus will be placed on the actions of responding personnel and the tactics involved in their engagement.

Watch Commanders are required to make immediate verbal notification to the CFRT Lieutenant whenever any of the following force incident criteria are present:

- Significant* inmate injuries as a result of employee contact or alleged contact
- Significant employee injuries as a result of inmate contact
- Taser – if use results in Significant inmate injury
- Personal weapons used – if use results in Significant inmate injury
- Impact Weapon/shod foot used - if use results in Significant inmate injury
- Carotid restraint
- Emergency Response Team action resulting in Significant inmate injury
- Any head strikes – including the head striking any fixed/hard object
- IAB shall be contacted when their notification criteria exist; however, if IAB declines to respond, the CFRT will be notified and will respond.
- Watch Commander discretion

Proposed addition to the Custody Division Manual

Custody Force Response Team (CFRT)

*Significant – injuries more than redness, swelling, or bruising. Complaints of pain (COP) will not be considered notification criteria unless the COP is to the head, neck, or spine; or, may possibly be indicative of an internal injury. The removal of Taser probes in and of themselves does not constitute a "Significant Injury."

During business hours (M-F, 0800-1700), the Watch Commander shall notify the Custody Force Response Team by calling Custody Headquarters at: (213) 893-5004. After hours notifications shall be made through Sheriff's Headquarters Bureau: (323) 526-5541.

The CFRT Lieutenant shall evaluate the information and determine if Response Team activation is appropriate.

Upon completion of the Use of Force packet and Watch Commander's review, the facility will contact the respective Custody Force Response Team Sergeant and make arrangements for delivery of the entire packet (including video and evidence if requested). The use of force packet is due to the CFRT Sergeant no later than 14 days after the incident. The CFRT Sergeant has five business days to review the packet and return it to the facility with noted changes, concerns or questions, if any. The CFRT Lieutenant will review the CFRT Sergeant's notations prior to the return of the packet to the facility.

After the facility makes the appropriate changes and obtains the CFRT Sergeant's concurrence, they will process the packet through their Operations staff for Unit Commander's notation (the Unit Commander does not sign the completed packet – but should initial or note as having reviewed it). The packet will then be sent to the CFRT Lieutenant, no later than 30 days after the incident, and will be scheduled for Custody Force Review Committee (CFRC) evaluation.

When an unforeseen circumstance interferes with a unit's ability to meet any of the above stated time lines, the Unit Commander will advise their Division Chief and request an extension.

The CFRC will decide on the final disposition of the force packet, and as a result, the Chairperson of the CFRC is designated to sign as the approving authority on the SH-R-438. The CFRC will return their findings to the Unit Commander within 5 business days. The Unit Commander has 30 days to respond to the CFRC's findings.

LOS ANGELES COUNTY SHERIFF'S DEPARTMENT

CUSTODY DIVISION MANUAL

Proposed addition to the Custody Division Manual

Custody Force Review Committee

The Sheriff's Department has created a Custody Force Review Committee, specific to custody facilities, comprised of three Commanders: two Custody Operations Division Commanders and one Correctional Services Division Commander, one of whom will be appointed as Chairperson. A member of the Office of Independent Review (OIR) will provide evaluation and input. The goals of the Custody Force Review Committee are to evaluate the force applied within custody facilities, the quality of Use of Force investigations, and the effectiveness of supervision.

The Custody Force Review Committee (CFRC) will review all use of force incidents evaluated by the Custody Force Response Team (CFRT).

The CFRC will calendar completed Use of Force incidents for review and will require the authoring sergeant and approving watch commander to present the incident. The sergeant and lieutenant should be prepared to discuss specifics, answer questions and justify recommendations regarding the incident. The assigned Custody Force Response Team Sergeant will also attend the appropriate CFRC session as a subject matter resource.

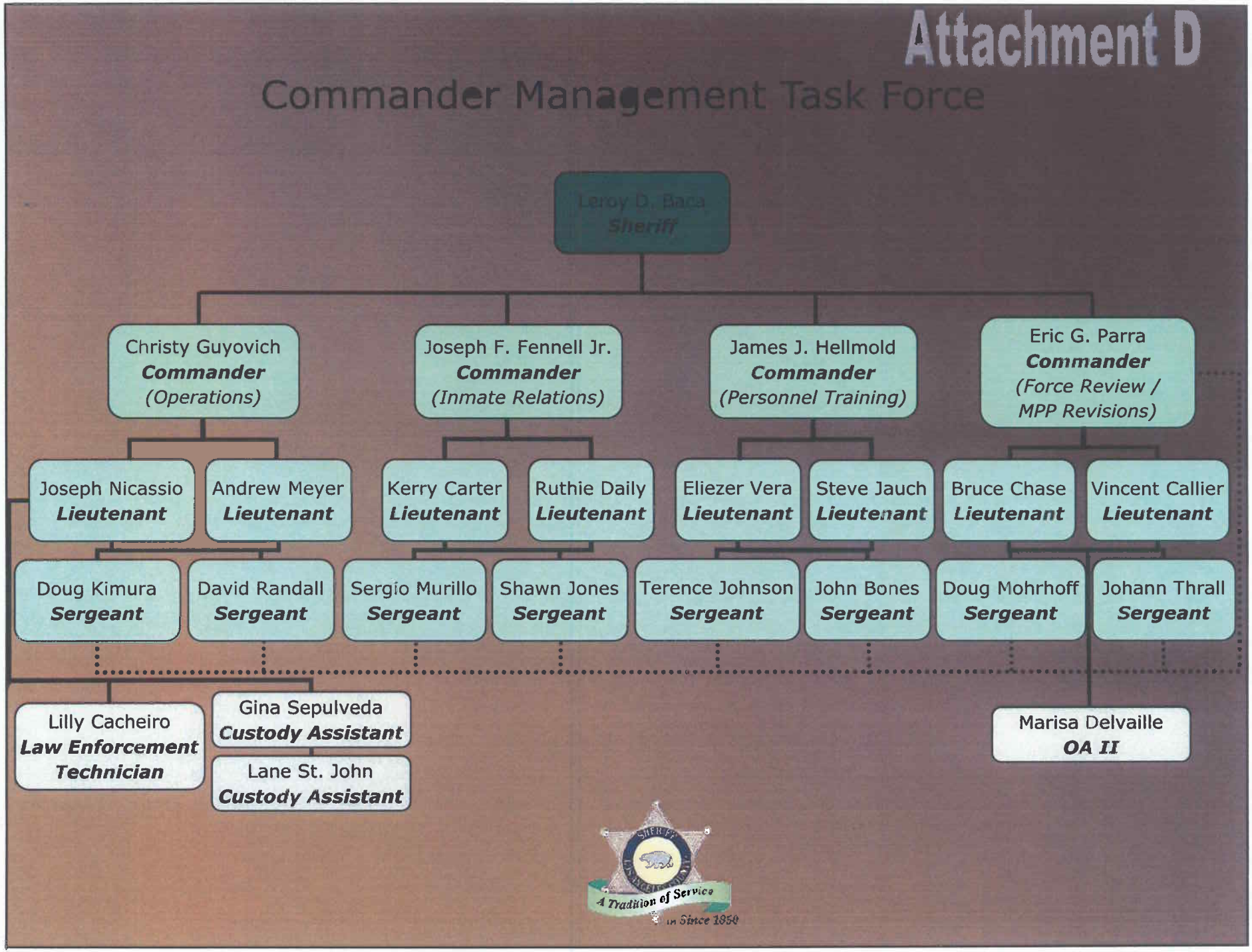
The CFRC can make recommendations regarding additional documentation, training, or additional investigation. If it is determined that a personnel investigation is required, the CFRC will direct the respective Captain to request that an investigation is opened and assigned to the appropriate unit. The completed investigation will be returned to the Captain for disposition, who will then re-convene with the CFRC. Discipline imposed as a result of CFRC reviewed force incidents can only be modified by the Undersheriff.

A summary of CFRC findings and recommendations will be sent to the facility Captain, who then has 30 days to respond.

After review by the CFRC, the Use of Force packet will be returned to the facility for processing to the Discovery Unit.

Attachment D

Commander Management Task Force



LOS ANGELES COUNTY SHERIFF'S DEPARTMENT

CUSTODY DIVISION

Leroy D. Baca, Sheriff

COMMANDER MANAGEMENT TASK FORCE

Our Mission

To transform the culture of our custody facilities in order to provide a safe, secure learning environment for our personnel and the inmates placed in their care. We strive to empower our personnel to provide a level of professionalism and service, consistent with our "*Core Values*."

"Until all deputies feel a sense of professional accomplishment while providing sensible and constitutionally established services to those in our care, our success as a department is not accomplished."

October 2011

CURRENT OBJECTIVES:

SHERIFF'S UPDATE MEETINGS

- Beginning *October 7, 2011*, discuss problems and share accomplishments on a weekly basis.

AMERICAN CIVIL LIBERTIES UNION (ACLU)

- By *October 2011*, establish a consistent dialog between Task Force members and ACLU representatives.
- By *November 1, 2011*, discuss and work toward a successful resolution to relevant concerns in conjunction with the Office of Independent Review.
    - Attend meetings with Sheriff.
    - Ensure Unit Commanders are properly addressing ACLU concerns.

MERRICK BOBB, OFFICE OF INDEPENDENT REVIEW RECOMMENDATIONS

- By *October 31, 2011*, review all recommendations prepare summary.
- By *November 15, 2011*, prepare response to each recommendation.

BOARD OF SUPERVISORS/GRAND JURY

- By *October 31, 2011*, establish communications with BOS Justice Deputies and Grand Jury appointees in order to discuss relevant recommendations for changes to policy, procedures and conduct.
- By *November 1, 2011*, prepare response letters to BOS.
- Prepare monthly update letters to BOS.

THE CULTURE OF THE CUSTODY ENVIRONMENT

- By *October 15, 2011,* prepare anonymous survey for deputies to be handed out prior to Sheriff's meeting.
- By *December 1, 2011*, meet with all deputy personnel from each custody facility in order to gain feedback regarding issues relevant to inmate – personnel relations and use of force incidents.
    - Discuss "Core Values."
    - Re brief "Anti-Retaliation Policy."
- By *January 1, 2011*, meet with all supervisory personnel from each custody facility and ensure supervisors understand the Sheriff's expectations, and are guided by the Department's "Core Values."
- By *January 31, 2012*, devise and implement training related to issues identified through the feed-back process.

- By *March 31, 2012*, utilize tenured personnel for briefings/training and establish a concurrent training regime emphasizing education, effective communication, "Use of Force" policy, conflict resolution techniques, our "Core Values", and "Anti-Retaliation" policy.
- *Ongoing* - Monitor training session to ensure compliance.

TOWN HALL MEETINGS

- By *October 17, 2011*, assess each facilities housing population demographics.
- By *October 17, 2011*, ensure each jail community establishes a Town Hall meeting schedule and facilitates meetings regularly.
    - Implement a Department calendar.
- By *October 17, 2011*, ensure inmate concerns/complaints are properly documented, tracked, and addressed during Town Hall meetings.
- By *October 17, 2011*, prepare anonymous survey for inmates to fill out prior to Town Hall meeting.
- By *October 17, 2011*, ensure personnel at all levels are involved in the process; including chiefs, commanders, captains, lieutenants and deputies.

INMATE COMPLAINT PROCESS

- By *October 31, 2011*, review current process and policy.
    - Work with Internal Affairs and Custody Division.
- By *November 30, 2011*, develop methods to track personnel complaints relating to disrespect/discourtesy.
    - Long form – ACLU approved.
    - Use survey as anonymous complaint form.
    - Include all civilian staff (nurses, clergy, etc.)
        - Initiating complaints.
        - Clergy receiving complaints from inmates.
- By *December 31, 2011*, develop procedural and policy changes to improve the inmate complaint process in order to make it more efficient and equitable to all parties involved.
- By *February 29, 2012*, implement changes and evaluate effectiveness.

INMATE RELATIONS

- By *October 31, 2011*, assess process with Court Services re: Bail reductions.
- By *November 15, 2011*, assess visiting delays and implement improvements.

- By *November 15, 2011*, assess the daily recreation and time inmates spend outside.
    - Assess ability to convert old dining halls into day rooms.
- By *December 1, 2011*, establish an offender reentry program utilizing intervention groups, clergy, volunteers, local businesses, other necessary resources.
- By *December 1, 2011*, create an informational pamphlet for deputies and inmates.
    - Based on facility.
    - Spanish and English.
    - Rules, complaint process, medical procedures, bail deviation, etc.
- By *December 1, 2011*, evaluate jail schedules and progress toward increasing the level of Title 15 standards given to inmates.
- *Ongoing* - Installation of video cameras.

EDUCATION BASED INCARCERATION

- By *November 31, 2011*, review curriculum, teachers, deputies
    - Look to include vocational and life skills training.
        - Starting a business, finances, life and professional development.
    - Eligibility for inmates.
    - Schedule created, posted for inmates and deputies.
- By *January 2012*, assess certification by Judges, Public Defenders, and District Attorney to establish credit for inmates' successful completion of programs.
- By *January 2012*, evaluate ability to utilize "good time/work time" toward credit of completed courses.
- By *March 2012*, assess ability to create a "college like" transcript/credit tracking for inmates to move toward higher education.

PREPARE/REVISE DIRECTIVES

- By *October 17, 2011, revise* "Captain" Custody Division Manual as it pertains to inmate and personnel welfare.
    - Define captains' duties as providing security and services.
    - Better services create a more secure facility.
- By *October 20, 2011*, implement "Force Prevention Policy" specific to all custody and lock-up facilities.
- By *October 30, 2011*, develop Town Hall Meeting Policy – Custody Captains responsibilities.
    - Captains should be doing one meeting per week, cycling back to same dorm twice a month, if feasible, due to high turnover of inmate population.

- By *October 31, 2011*, review "pill call" procedures at MCJ. Take necessary steps to prepare or revise policy on "pill call" protocol.
- By *October 31, 2011*, revise "Flashlight" policy in Custody to search alternatives to replace the use of heavy flashlights.
- By *October 31, 2011*, revise the "Use of Force" policy re; head strikes on fixed objects, walls, floors, jail bars, unless lethal force in necessary.
    - Create and add additional levels of force categories (less significant, significant.)
    - Create standards for timeliness in completion of the force investigation (severe incidents – 30 days, others 60 to 90 days.)
    - Interviews of inmates should not be in presence of involved deputies.
    - Supervisors directing or involved in "use of force" are prohibited from conducting investigation.
    - Interviews of inmates shall be conducted as soon as feasibly possible, but no later than 48 hours of incident.
- By *October 31, 2011*, revise the policy re: "steeled toe shoes" to prohibit.
- By *October 31, 2011*, write policy re: rotational assignments in Custody Division.
- By *November 2011,* PPI reform and implementation of the CART computer force tracking system.
- By *November 2011*, study and prepare policy re: use of deputy worn video cameras.
    - All inmate contact shall be recorded, including Title 15 checks, any movement, and all force incidents.
    - Storage of data.
- By November 30, 2011, prepare a policy for patrol failures to return to custody.

FORCE REVIEW PROCESS

- By *October 31, 2011*, begin a review of significant force that meets specific criteria, non-IAB roll out cases.
    - Establish a roll-out team of eight sergeants, develop roll-out procedures.
    - Identify patterns.
- By *October 31, 2011*, conduct analysis of force over the past five years
    - Track by facility.
    - Conduct analysis re: Mentally ill inmates.
- By *October 31, 2011,* prepare a process for Commander's review of significant force reviewed by roll out sergeants, (Commander Review Panel).
- By *November 30, 2011*, review 2010 and 2011 "man down" medical reports at MCJ; determine if these are non-reported force incidents.

- By *November 30, 2011*, create a directive that requires a supervisor (Sergeant or above) to respond to all "man down" calls to determine if force was used by deputy personnel.
- By *December 31, 2011*, review reporting procedures for medical services when an inmate is seen by medical staff for injuries that could be related to a deputy or inmate fight.
- By *December 31, 2011,* establish a supervisor training program re: "Use of Force" investigations.
    - Supervisors
        - How to manage and properly document force.
            a. Ensure deputies properly document their own use of force separately.
        - Appropriate interviewing of witnesses.
        - Re-brief deputies re: "Anti-Retaliation Policy."
        - Lieutenant review – associated reports, videos, etc.
        - Force analysis by Captains and their staff.
            a. Was the force necessary and justified.
            b. Assess the instigation of the use of force.

CUSTODY TRAINING

- By *October 20, 2011,* establish a Custody Force Training Bulletin
    - Most effective/safest way to overcome resistance.
    - Discourage face strikes, encourage handcuffing.
- On January *9, 2012*, speak to newly assigned deputies in Jail Operations School.
    - Introduce Education Based Incarceration,
    - Effective communication with Inmates,
    - Core Values – how to effectively use the Core Values.

PERSONNEL EVALUATION

- By *November 1, 2011*, increase supervision at MCJ.
- By *November 15, 2011*, implement Jail Mental Evaluation Team full time at MCJ.
- By *November 15, 2011*, review analysis being conducted by MCJ/TTCF re: additional executive personnel.
- By *November 15, 2011*, review criteria for personnel assigned to Jail Investigations Unit.
    - Level of investigator experience.
- By *December 1, 2011*, review all positions in Custody Division. Determine the need for additional staff, and supervision.
    - Sergeant/Lieutenant line and Title 15 positions.

- By *December 1, 2011*, review Supervising Line Deputy responsibilities and training.
- By *December 1, 2011*, assess if deputy transfer updates should occur more often (quarterly).
- By *January 30, 2012*, evaluate hiring standards.
- By *February 1, 2012*, develop a plan to increase the tenure of supervision in custody.
- By *February 1, 2012*, develop a plan to reduce the amount of time deputies spend in custody.
- By *March 2012*, develop a plan to allow deputies to stay in custody (2-track career path / Pre-Class 214 rule).
    - Reduce time deputies have to stay in Custody if they wish to go to patrol.
    - Custodial career path up to the level of chief.
    - Separate testing process.

PRESS RELATIONS

- By *October 31, 2011*, establish press relations element to address media concerns and involvement.

COMMANDER MANAGEMENT TASK FORCE

CURRENT OBJECTIVES BY MONTH

Task	October 2011	November 2011	December 2011	January 2012	February 2012	March 2012	April 2012
Sheriff's Update Meetings							
Review goals, objectives & findings	ONGOING						
American Civil Liberties Union (ACLU)							
Establish consistent dialog	10/31						
Discuss & work toward resolution	11/1						
Merrick Bobb, OIR Recommendations							
Review all recommendations prepare summary	10/31						
prepare response to each recommendation		11/15					
Board of Supervisors/Grand Jury							
Est comms with BOS Justice Deputies & Grand Jury Appointees	10/31						
Prepare response letters to BOS	11/1						
Prepare monthly update letters to BOS	ONGOING						
Culture							
Develop an anonymous survey for deputies and line staff	10/15						
Meet w/Deputy & Supervirosy personnel from each Facility		12/1					
Meet w/Deputy & Supervirosy personnel from each Facility			1/1				
Devise & Implement Training				1/31			
Utilize tenured Pers for briefings/training						3/31	
Integrate CFT pers							4/30
Monitor Training	ONGOING						
Town Hall Meetings							
Assess housing population demographics	10/17						
Ensure each jail community establishes T.H. schedule	10/17						
Ensure I/M cncrn & cmplnts are dcmnted, trckd & addrs'd	10/17						
Develop an anonymous survey for I/M to complete prior to mtg	10/17						
Ensure all personnel at all lvls are involved in process	10/17						
Inmate Complaint Process							
Review current process & policy	10/31						
Develop methods to trck pers complaints (Baca Board)		11/30					
Use survey as anonymous complaint form							
Develop procedural & policy chng to improve I/M cmplnt			12/31				
Implement changes and evaluate effectiveness					2/29		
Inmate Relations							
Assess Process with Court Services re: Bail reductions	10/31						
Assess visiting delays		11/15					
Review daily recreation and time I/M's spend outside		11/15					
Establish an offender reentry program		12/1					
Create an informal pamphlet for Deputies & Inmates		12/1					
Increase level of Title 15 standards given to inmates		12/1					
Installation of CCTV cameras	ONGOING						
Educated Based Incarceration							
Review Curriculum, teachers, deputies		11/30					
Assess &, if poss, obtain certs to establish credit for I/M's				1/31			
Evaluate ability to ustilize "good/work time" toward credit				1/31			
Assess creating "college like" transcript/credit tracking						3/31	
Prepare Directives							
Assess and further develop "Captain's Responsibilities"	10/17						
Implement "Force Prevention Policy"	10/20						

COMMANDER MANAGEMENT TASK FORCE

CURRENT OBJECTIVES BY MONTH

Task	October 2011	November 2011	December 2011	January 2012	February 2012	March 2012	April 2012
Develop Town Hall Meeting Policy	10/31						
Review "pill call" procedures at MCJ	10/31						
Revise "Flashlight" policy in Custody	10/31						
Revise the "Use of Force" Policy	10/31						
Revise policy to prohibit steeled toe shoes	10/31						
Create "rotational assignments in Custody Div" policy	10/31						
PPI reform & implementation of the CART		11/30					
Prepare policy regarding "deputy worn video cameras"		11/30					
Force Review Process							
Begin a review of sigificant force	10/31						
Analyze past five years of force	10/31						
Prepare process for review of Significant force	10/31						
Review '10 & '11 man down medical reports		11/30					
Create directive regarding supervisor response to man down							
Review reporting for medical svcs regarding inmate injuries			12/31				
Establish Supervisor "Use of Force Inv" Training Program			12/31				
Custody Traning							
Establish Custody Force Training Program		11/30					
Speak to Deputies in Jail Ops School			12/19				
Personnel Evaluation							
Increase supervision at MCJ	11/1						
Implement Full Time Jail Mental Eval Teams	11/1						
Review analysis re: 2 Cpts per facility at MCJ & TTCF		11/15					
Review criteria for JIU assignments		11/15					
Review all Custody positions		12/1					
Review Supervising Line Dep Responsibilities & Training		12/1					
Assess if Deputy Transfer Updates should occur quarterly		12/1					
Evaluate hiring standards				1/1			
Develop plan to increase supervisor tenure in custody				2/1			
Develop plan to decrease time deputies spend in custody				2/1			
Develop plan to allow deputies to remain in custody						3/31	
Press Relations							
Establish press relations element to address media concerns	10/31						

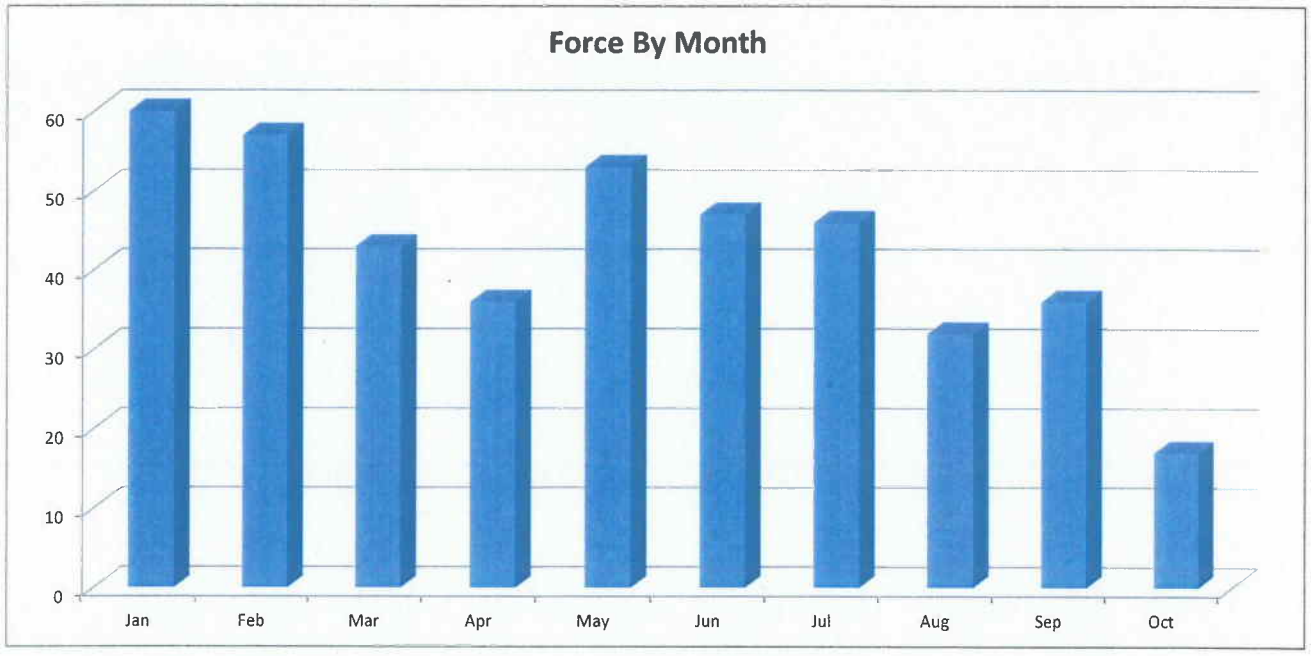
Attachment F

LOS ANGELES COUNTY SHERIFF'S DEPARTMENT

FORCE USED BY MONTH YTD 2011

	January			February			March			April			May		
CUSTODY DIVISION	Sig Force	Less Sig Force	Total	Sig Force	Less Sig Force	Total	Sig Force	Less Sig Force	Total	Sig Force	Less Sig Force	Total	Sig Force	Less Sig Force	Total
CRDF	3	2	5	4	4	8	0	3	3	2	1	3	1	2	3
EAST FACILITY	3	3	6	4	0	4	0	0	0	0	0	0	0	1	1
IRC	9	3	12	9	1	10	11	1	12	10	0	10	6	5	11
MEN'S CENTRAL JAIL	16	1	17	19	1	20	11	1	12	9	2	11	16	5	21
MIRA LOMA FACILITY	0	0	0	0	2	2	1	0	1	0	0	0	0	0	0
NCCF	6	6	12	1	3	4	5	2	7	2	1	3	2	3	5
NORTH FACILITY			0	0		0			0			0			0
SOUTH FACILITY	0	1	1	0	0	0	2	0	2	1	0	1	2	0	2
TWIN TOWERS	5	2	7	8	1	9	3	3	6	7	1	8	10	0	10
	42	18	60	45	12	57	33	10	43	31	5	36	37	16	53

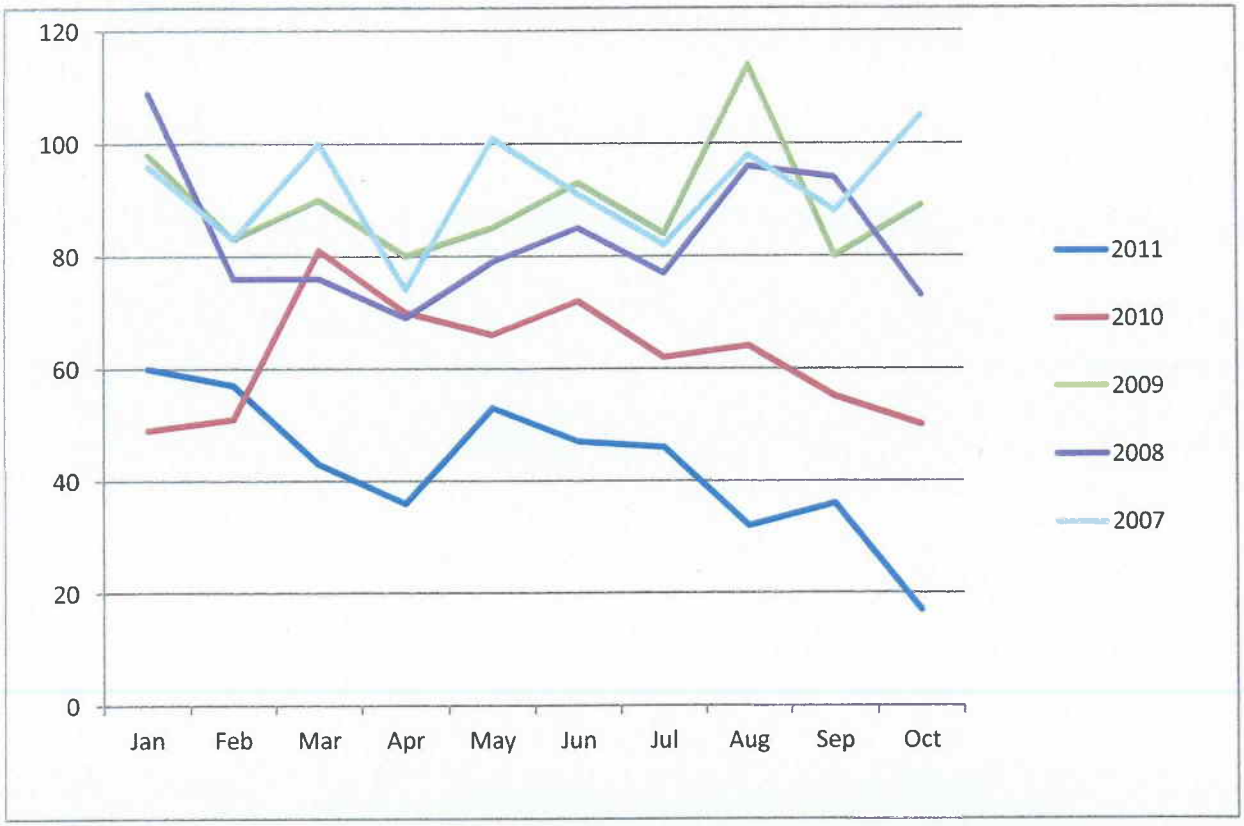
	June			July			August			September			October			
CUSTODY DIVISION	Sig Force	Less Sig Force	Total	Sig Force	Less Sig Force	Total	Sig Force	Less Sig Force	Total	Sig Force	Less Sig Force	Total	Sig Force	Less Sig Force	Total	Grand Total
CRDF	4	0	4	0	1	1	0	0	0	0	0	0	0	0	0	27
EAST FACILITY	0	1	1	0	1	1	1	0	1	3	2	5	0	0	0	19
IRC	8	2	10	5	2	7	3	1	4	7	1	8	0	0	0	84
MEN'S CENTRAL JAIL	10	3	13	18	2	20	16	0	16	9	1	10	3	3	6	146
MIRA LOMA FACILITY	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	3
NCCF	7	4	11	5	3	8	5	1	6	2	3	5	2	0	2	63
NORTH FACILITY			0			0			0			0			0	0
SOUTH FACILITY	0	0	0	1	0	1	0	0	0	0	0	0	1	0	1	8
TWIN TOWERS	6	2	8	6	2	8	3	2	5	1	7	8	1	7	8	77
	35	12	47	35	11	46	28	4	32	22	14	36	7	10	17	427



**Totals presented are as of 10/31/2011*

LOS ANGELES COUNTY SHERIFF'S DEPARTMENT

FORCE USED YTD 2007-2011



Month	2007 Total Incidents	2008 Total Incidents	2009 Total Incidents	2010 Total Incidents	2011 Total Incidents
Jan	96	109	98	49	60
Feb	83	76	83	51	57
Mar	100	76	90	81	43
Apr	74	69	80	70	36
May	101	79	85	66	53
Jun	91	85	93	72	47
Jul	82	77	84	62	46
Aug	98	96	114	64	32
Sep	88	94	80	55	36
Oct	105	73	89	50	17
Grand Total	918	834	896	620	427

**Totals presented are as of 10/31/2011*

COUNTY OF LOS ANGELES - SHERIFF'S DEPARTMENT
HIRING STANDARDS

In February 2008, the Office of Independent Review (OIR) began a review of Personnel Administration Bureau's Background Investigation processes. On February 18, 2009, OIR submitted a report to the Board of Supervisors entitled, "Review of Los Angeles Sheriff's Background Investigations Process." The report was in response to OIR monitoring the Department's internal investigations and recognizing a pattern of newly hired deputies becoming engaged in employee misconduct. In their assessment, OIR noted in the years 2005, 2006, and 2007, there was a significant push by the Department to hire over 2,500 deputies. OIR contended although there had been no change in the Department's internal hiring standards, the new "holistic" hiring approach adopted by the Department resulted in applicants being hired, who would have been automatically disqualified in previous years. Additionally, OIR noted a significant number of the background cases that they reviewed demonstrated insufficient review and a failure by the investigator to pursue potential negative history; a phenomenon OIR called, "failure to follow up."

In its 2009 review, OIR included a series of recommendations to assist the Department in maintaining their integrity during the hiring process, and provided methods, which OIR believed, would further enhance the overall goal of the Department in hiring qualified applicants. In March 3, 2009, the Board of Supervisors directed OIR to collaborate with the Department on its hiring practices and to develop a system to monitor and assess the level of training for all background investigators. OIR identified four areas of concern wherein Personnel Administration should implement changes within its hiring practices to further enforce the "gate keeping" responsibilities of the Department. The areas identified were: 1) Internal Guidelines, 2) Staffing for Background Investigation Unit (BIU) Investigators and Supervisors, 3) The Background Investigation Process, and 4) Supervisory Review of Completed Background Files. Within each of these areas, OIR proposed specific recommendations, supported by case studies, to provide the Department with a better understanding of the purpose, and desired consequences, of the proposed changes.

In four subsequent OIR reports submitted to the Board of Supervisors, all entitled "Follow-up Response to Board's March 3, 2009, Motion/Background Investigations Issues," OIR examined the Department's adoption and implementation of their recommendations, set forth in the February 18, 2009, report. In the June 26, 2009, report, OIR documented a consensus had been reached with the Department on the majority of OIR's recommendations, which the Department was willing to implement. On the unresolved recommendations, the Department agreed to "continue a dialogue and an analysis." In the September 1, 2009, report, OIR indicated they had reached a consensus with the Department on all recommendations.

In the reports of November 6, 2009, and January 12, 2010, OIR praised the Department for working diligently to continue with open discussions and timely adoptions of the recommendations. OIR claimed the Department was in "substantial compliance" with the proposed recommendations and there had been significant improvements pertaining to the thoroughness of the background investigation process.

The following pages comprise OIR's original recommendations from the February 18, 2009, review of the Department's background investigative process. The responses from Personnel Administration indicate the current practices adopted and utilized by the Background Investigations Unit to process all applicants in a fair and impartial manner. The manner in which Personnel Administration's responses have been structured is based upon the original areas and recommendations identified by OIR in their February 2009 report.

I. INTERNAL GUIDELINES

1. ***Document the reasons for any modifications to the internal guidelines.***

   The current hiring guidelines have been in effect since September 14, 2006. Should the need arise to modify any internal guidelines, Personnel Administration agrees all changes to the existing guidelines will be memorialized in writing, all existing documentation will be amended to reflect the change, and all background investigators and supervisors will receive proper training prior to implementation.

2. ***Document any changes in the suggested interpretations of the internal guidelines.***

   As with modifications to the internal guidelines, any changes in the interpretation of the guidelines will also result in immediate documentation and training to involved personnel. This is done to reduce any confusion associated with the changes and to provide rationale for the change.

3. ***Have a task force with members from Personnel Bureau, BIU, and OIR to re-examine the internal guidelines and suggested interpretations every 24 months and make any necessary and appropriate recommendations.***

   Although no task force has been developed in concept, the BIU Lieutenant, the Director of Personnel Bureau and OIR have been in constant review of the procedures, protocols and guidelines. OIR currently has full access to employee background files and is encouraged to continue to review and make recommendations, in order to assist the Department in avoiding any potential

hiring deficiencies.

4. ***Have the review committee consider and develop, for the Department's consideration, a list of categories of negative information about applicants that would result in automatic disqualification of the applicant.***

The Department does not evaluate every applicant on a "holistic" level. There are multiple factors, outlined in the "Pre-Employment Hiring Guidelines," which result in automatic disqualification. This is true, even if the remainder of the applicant's background indicates the candidate is an outstanding prospect. However, Personnel Administration is receptive to the proposal of OIR submitting additional recommendations of automatic disqualification factors.

II. STAFFING FOR BIU INVESTIGATORS AND SUPERVISORS

1. ***Require attendance at either a formal training course or create a formal internal training course, with an agreed upon curriculum relative to conducting background investigations to complement the informal "mentor" training program.***

All Background Investigators are required to attend a 40-hour, POST approved, Background Investigator Course. All investigators, with the exception of the recent transfers, have attended the Background Investigator Course. Any new investigators, who have not attended, are assigned to formal, "in-house" training and are mentored by an experienced background investigator. This training is comprised of a structured task list and requires the new investigator to demonstrate competency in each area prior to conducting any background investigations on their own. All Background Investigators also participate in a more condensed refresher course on relevant investigations. Additionally, an Analytical Interviewing course, designed to provide comprehensive interviewing techniques, will be provided as an increased investigative source.

2. ***Maintain records of all formal training received by background investigators and supervisors.***

Personnel Administration maintains an Automated Personnel In-Service (APIS) roster for all background investigators and supervisors who complete formal and informal training. All formal training is captured within the Department's Training Record System (TRS).

3. ***When making BIU assignments, require that the background investigators and supervisors have investigative experience.***

Personnel Administration continues to conceptually support this recommendation; however, appointments to background investigator positions must be made in accordance with the Bouman Consent Decree, Civil Service Rules, and are subject to the pool of candidates who apply for the position. Personnel Administration has more latitude in the selection of supervisors and therefore, has been successful in recruiting supervisors who have prior investigative experience.

4. ***Find ways to provide incentives to attract personnel with investigative experience to the BIU such as designing the BIU investigator positions as bonus positions.***

Economic constraints prevent the Department from incurring the substantial costs of transforming the deputy generalist background investigator positions into bonus positions. Personnel Administration is exploring various options for attracting experienced investigators to the background investigator positions.

5. ***Require that the contract background investigators attend the formal training course in background investigations and some recurrent training once every 24 months.***

All Contract Background Investigators are mandated to attend the same 40-hour, POST approved, Background Investigator Course required of the Background Investigators. Contract Background Investigators also take part in the recurrent training offered "in-house."

6. ***Require that BIU maintain a cadre of, or bench of, experienced investigators and supervisors, even during non-peak hiring years.***

Personnel Administration will maintain minimal staffing levels to meet the current needs of the Department. However, staffing decisions must be made in a fiscally responsible manner. Personnel Administration does maintain a cadre of

displaced trained investigators to fulfill any immediate needs. All other staffing procedures will follow established protocols, set under the Bouman Consent Decree.

III. THE BACKGROUND INVESTIGATION PROCESS

1. ***Require all applicants to provide photographs of all tattoos.***

Personnel Administration is in agreement with this recommendation and requires all applicants to submit photographs of their tattoos to background investigators,

with the exception of tattoos which are located in bodily areas considered "private." The photographs are then used to assess the candidates' suitability for the position sought.

2. ***Circulate copies of photographs of tattoos to persons involved in the applicant's medical and psychological evaluation.***

All photographs of tattoos submitted by the applicant, to the background investigator, are made available during the medical and psychological phases of the background process.

3. ***Require the background investigator to discuss the origin, meaning, and dates of acquisition of all tattoos.***

Personnel Administration has consistently maintained this concept as part of the investigative process.

4. ***In non-obvious cases, submit photographs to Department experts for analysis, including affiliation or association with any prohibited organization or group referenced in the required personal history questionnaire.***

Should an instance arise where a tattoo is questionable or unrecognizable to the background investigator, the photo of the tattoo is forwarded to a Department expert for further analysis. The expert will determine if the tattoo is indicative of any affiliation, association, or membership, in a prohibited organization or group.

5. ***Require applicants to provide investigators access to their MySpace or Facebook pages and make such access a routine investigative step for investigators to follow.***

Background investigators have adopted this practice and require applicants to unconditionally provide the investigator access to all of the social web-sites that they belong to. Failure to provide access or to disclose participation are grounds for disqualification.

6. ***Require applicants to submit tax returns for three years preceding application for the position of deputy sheriff trainee.***

To date, Personnel Administration only requires three years of tax returns from applicants who are self-employed. Background Investigators do reserve the right to request tax returns from any applicant who has a questionable financial history, which may be resolved or supported by a review of the tax returns. As

has been the longstanding practice, Personnel Administration will continue to thoroughly investigate any financial discrepancies identified during the background process.

7. ***Require background investigators to obtain, or document efforts to obtain documents that verify an applicant's explanation of his or her criminal or potentially criminal behavior or any issued restraining orders.***

Personnel Administration has consistently incorporated this recommendation as part of the background process. This process is supported by various levels of supervisory review to ensure the investigative process has been performed in a thorough manner.

8. ***Require background investigators to interview, if applicable, all persons who could corroborate or refute an applicant's explanation of action of violence or acts that could disqualify the applicant under the Department's internal guidelines***.

Personnel Administration has consistently incorporated this recommendation as part of the background process. This process is supported by various levels of supervisory review to ensure the investigative process has been performed in a thorough manner.

9. ***Require background investigators to meet personally with an applicant's local employers from at least the last three years and to conduct telephone interviews with non-local employers.***

Background Investigators are currently required to conduct in-person interviews with the applicant's employers from the prior three years employment history. Background Investigators are permitted to conduct telephone interviews with employers, if employers are located at a considerable distance. Employer verifications have been increased from the previous two years "in-person" contact requirement, as set forth by POST guidelines.

10. ***Require background investigators to interview, or document attempts to interview, victims or applicant's criminal conduct or requesters or issued restraining orders.***

Personnel Administration has consistently incorporated this recommendation as part of the background investigation process. This process is supported by various levels of supervisory review to ensure the investigative process has been performed in a thorough manner.

11. ***Require background investigators to record their interviews with applicants.***

All Background Investigators are required to audio record their initial interview with an assigned applicant.

12. ***Require background investigators to obtain a copy of all court documents - other than Department of Motor Vehicles traffic violations - showing charges, allegations, dispositions, and/or orders.***

Background Investigators will attempt to include any relevant court documents in the applicant's background file.

IV. SUPERVISORY REVIEW OF COMPLETED BACKGROUND FILES

1. ***Ensure that background investigations meet POST requirements.***

Personnel Administration is currently meeting, or exceeding, POST background investigation requirements and will continue to strive to do so in upcoming years. Due to insufficient funding, POST was unable to conduct its annual audit in 2010. POST is scheduled to conduct its next audit in early 2012. Pre-Employment has implemented pre-audit measures, involving a thorough review of all hires.

2. ***Ensure background investigators meet The Department's internal guidelines and interpretations of those guidelines.***

Background Investigators are meeting all guidelines and are supported by the thorough review process, the review conducted by the Pre-Employment Lieutenant and the optional Commander's Review Panel.

3. ***Ensure that background investigations are thorough and provide the necessary follow-up investigation or inquiry.***

All background investigations go through a three-tiered review process. When the Background Investigator submits the applicant's file, the first person to review the case is the Team Background Sergeant. After the Team Sergeant is satisfied with the investigation, the applicant's file is then forwarded to the Pre-Employment Operation's Sergeant, where a similar review takes place for content and thoroughness. Once the Operation's Sergeant has approved the file, it is then reviewed by the Pre-Employment Lieutenant for final approval. At any point during this process, the application may be rejected for follow-up investigation by the Background Investigator. The submission process is not

completed until all supervisors are satisfied with the quality of the investigation.

4. ***Ensure that background investigations are consistent with formal training elements.***

Personnel Administration ensures all background investigations are consistent with formal training elements. The Pre-Employment Operations Staff and the Department's Training Bureau utilize POST guidelines to dictate the content of Background Investigation Courses and verify they support the investigative methods utilized in all background investigations.

5. ***Audit background investigations to identify any trends or patterns of deficient investigations or any investigations in need of additional training or supervision.***

Background Investigators are constantly being reviewed by the supervisory staff. The Operations Sergeant and Pre-Employment Lieutenant are constantly assessing the consistency between the various teams.
Any deficiencies are immediately addressed and any areas of improvement are quickly shared amongst the background investigation's unit.

6. ***Ensure appropriate communication with contract psychologists and ensure that any additional information is provided to the contract psychologist.***

The Pre-Employment Operation's Sergeant is in routine communication with the contract psychologists to ensure their needs are being met.

7. ***Ensure that the BIU lieutenant reviews the entire personnel file of all applicants recommended for hire.***

As of March 1, 2009, the Pre-Employment Lieutenant personally reviews the files of all applicants recommended for hire.

8. ***Review, maintain, and conduct appropriate follow-up with regard to all individual complaints by applicants and Department members regarding the background process in general, background investigations, background supervisor, BIU staff, and/or psychologists.***

Personnel Administration will continue to abide by the Department's established service complaint process and/or applicant appeals process, when faced with complaints by applicants. Complaints by Department members, depending on the nature, will generally be documented in an internal memorandum to the

captain of Personnel Administration and will be promptly reviewed and addressed. The results of these complaint processes will be documented in writing and maintained by the Bureau. All other forms of complaints will be handled according to Department Policy.

9. ***Require the delivery of the entire completed background investigation file to the contract psychologist assigned to conduct the psychological evaluation.***

Since November 2008, the Pre-Employment Unit has been providing the entire background file to contract psychologists, instead of limiting the submission to the documents the psychologist specifically suggested.

10. ***Conduct group or roundtable discussions on applicants who are recommended for hire or clinical interview with concerns or applicants who have been disqualified or rejected by more than two law enforcement agencies and participants in this discussion should include the background investigator or his or her supervisor and a representative from Court Services Division, Custody Operations Division, Leadership and Training Bureau, and OIR.***

In October 2008, Personnel Administration re-instituted the Commander's Review Panel. The panel was formed, at the direction of the Sheriff, to make decisions on marginal applicants who had been undecided at all prior levels.

11. ***Assist, if appropriate, other Department units or bureaus in reviewing all background files of deputy sheriffs who are on probation and, at the deputy sheriff's six-month point of probation, consult with their unit commander regarding any issues or concerns.***

At the request of the unit commander of any Department unit or bureau, the Pre-Employment Unit will assist in the review of the background files for any probationary employee and will engage in discussions regarding any issues or concerns. This process is not performed for all probationary employees, but only those employees who are subjects of investigations or other disciplinary concerns. In most instances, assistance is not automatic and must be prompted by a request from the bureau or unit.

12. ***Assist, if appropriate, other Department units or bureaus in reviewing all background files of deputy sheriffs who are on probation and become the subject or witness in an administrative investigation or a suspect in a criminal investigation and consult with their unit commander.***

At the request of the unit commander of any Department unit or bureau, the Pre-Employment Unit will assist in the review of the background file for any probationary employee and participate in any discussions of issues or concerns.

13. ***Document, if appropriate, LASD unit commander's concerns regarding applicants for the deputy sheriff trainee position or deputy sheriffs on probation and document Personnel Administration's actions taken in response to those concerns or reasons for Personnel Administration's failure to act on those concerns.***

Unit Commanders are contacted prior to the hire of any employee within their command or of any employee who had previously been in their command and is requesting re-hire. Unit Commanders are asked to provide a hiring recommendation and a list of supervisors who should be contacted as part of the background investigation process. The Unit Commander's responses are documented in the investigative file. For probationary employees who have questionable behavior patterns, the unit of assignment must reach out to Personnel Administration to request a prompt review of the personnel file. If the behavior is so egregious it warrants investigation, the investigative unit will often inquire into the contents of the probationer's background file. For probationary employees, without issues or concerns noted during their probation period, it becomes the responsibility of the unit for which they are assigned to continuously train, mentor, and develop the employee.

14. ***Issue a directive intended to insulate contract psychologists from being contacted directly by LASD staff about disqualification rates.***

Personnel Administration issued a directive which precludes staff from having contact with any contract psychologist regarding any applicant. Only the Director of Personnel, or his/her designee, may contact contract psychologist regarding any disqualifications. All contract psychologist have been advised to contact the Director of Personnel if they are contacted directly by any LASD staff member.

15. ***Arrange, by a neutral party or person, for an audit of the contract psychologists every two years, including individual complaints, disqualification/pass rates and any evidence of bias.***

Personnel Administration will inquire into the use of the Auditor Controller to conduct audits every two years.

16. ***Draft policy and/or procedures for a neutral and non-discretionary assignment of applicants to contract psychologists for psychological evaluations.***

Personnel Administration will continue to assign applicants to contract psychologist based upon geographical proximity. Personnel Administration asserts this is a neutral and non-discretionary way to assign applicants to a psychologist. The applicant's Background Investigator is neither involved in scheduling the interview nor selecting the interview site.

17. ***Draft policy and/or procedures requiring that a request for any deviation in the assignment of an applicant for a psychological evaluation must be in writing setting out principled reasons and approved by the captain of Personnel Bureau and that a copy of that written request and approval be maintained in the applicant's personnel file.***

Personnel Administration agrees to document any deviation from its established policy and to keep a copy of said deviation in the applicant's file.

18. **Draft a policy and/or procedure requiring that a request for any deviation in the appeals process for a disqualified applicant must be in writing setting our principled reasons and approved by the captain of Personnel Bureau and that a copy of that written request and approval must be maintained in the applicant's personnel file.**

The appeals process for disqualified applicants is conducted by the Los Angeles County Department of Human Resources (DHR). The procedures for the DHR appeals process are documented in all disqualification letters sent to applicants. Prior to the submission of a formal appeal, the Captain of Personnel has the administrative authority to review cases and submit them back to the investigator for further investigation. This has been a longstanding Bureau practice in order to ensure quality control.

19. **Conduct internal quality assurance audits of a deputy sheriff's background investigation and personnel fie within three years of a deputy sheriff's involuntary separation from the Department to determine any trends or background patterns that could improve the background investigation process.**

It is our understanding this recommendation is under review by OIR, Leadership and Training Division, and the Undersheriff's Office. Personnel Administration will assist with this process as needed.